

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
15th November 2023
DECISIONS

Item No:	01	
Application No:	22/02169/EOUT	
Site Location:	Parcel 4234, Combe Hay Lane, Combe Hay, Bath	
Ward: Bathavon South	Parish: Combe Hay	LB Grade: N/A
Application Type:	Outline Application with an EIA attached	
Proposal:	(i) Outline application for Phases 3 and 4 for up to 290 dwellings; landscaping; drainage; open space; allotments; footpaths and emergency access; all matters reserved, except access from Combe Hay Lane via the approved Phase 1 spine road (details of internal roads and footpaths reserved);	
	(ii) Detailed application for the continuation of the spine road (from Phase 1), to and through Sulis Manor and associated works comprising: the demolition of existing dilapidated buildings and tree removal; drainage; landscaping; lighting; boundary treatment; and, the erection of 4 x Bat Night Roosts; to enable construction of the spine road; with the ecologic mitigation on Derrymans and the field known as 30Acres (edged blue on the Location Plan).	
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy HE1 Scheduled Ancient Monuments, Policy HE2 Somersetshire Coal Canal & Wa, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, Placemaking Plan Allocated Sites, Public Right of Way, Scheduled Ancient Monuments, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	The Hignett Family Trust	
Expiry Date:	17th November 2023	
Case Officer:	Chris Griggs-Trevarthen	

DECISION - Deferred for more information

Item No:	02
Application No:	23/00660/FUL
Site Location:	Systopia Consulting Limited Proximity House, Pixash Business Centre, Pixash Lane, Keynsham
Ward: Keynsham East	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Construction of 2no. industrial units (Use classes B8 and E(g)) with associated parking, external yards, landscaping and services.
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing, Policy ED2A Primary Industrial Estates, Ecological Networks Policy NE5, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro, Tree Preservation Order,
Applicant:	Mr Chris Lyons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

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 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

1. Deliveries (including storage arrangements and timings);
2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;
8. Measures for the control of dust;
9. Temporary arrangements for householder refuse and recycling collection during construction.

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy D6 of the Bath and North East Somerset

Placemaking Plan and ST7 of the Bath and North East Somerset Local Plan Partial Update.

3 Parking (Compliance)

The areas allocated for parking and turning, as indicated on submitted plan reference 2764 - P101G 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 D6 of the Bath and North East Somerset Placemaking Plan and Policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

4 Replacement tree planting (Bespoke Trigger)

Within two months of the commencement of works a soft landscape scheme with plan and a programme of implementation shall be submitted to and approved in writing by the Local Planning Authority showing the species, planting size and location of two replacement trees (as mitigation for loss of T11).

Reason: To secure replacement tree planting on site in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update and the fixed number tree replacement policy within the Planning Obligations Supplementary Planning Document.

5 Arboriculture - Replacement Trees (Compliance)

All replacement tree planting works shall be carried out in accordance with the details approved in connection with condition 4. The works shall be carried out during the next available planting season following completion.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure replacement trees are provided and to provide an appropriate landscape setting for the development in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update.

6 Plant noise (Bespoke Trigger)

Cumulative plant noise arising from the development shall comply with the limits detailed in Table 6 of Noise Impact Assessment Reference: 10030/BL. Compliance shall be demonstrated through submission and approval of a Noise Assessment Report within 4 months of occupation of the development, hereby approved.

Reason: To protect neighbouring residents from exposure to environmental noise in accordance with policies PCS1 and PCS2 of the Bath and North East Somerset Placemaking Plan.

7 Construction/Demolition Environmental Management Plan (pre-commencement)

No development shall take place until a site specific Construction/Demolition Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Environmental Protection Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.
 - Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: To protect neighbouring residents from potential nuisance associated with construction.

8 Wildlife Protection and Enhancement Scheme (Compliance)

The development hereby approved shall be carried out only in accordance with the avoidance, mitigation and enhancement measures described in Section 1 of the approved Preliminary Ecological Appraisal with Preliminary Roost Assessment report (Focus Environmental Consultants, December 2022) or any subsequent update report approved in writing through the formal approval of condition details process by the Local Planning Authority.

Reason: to avoid harm to wildlife including nesting birds and hedgehog and to provide ecological enhancement measures in accordance with the Wildlife and Countryside Act 1981 (as amended) and policies NE3 and D5e of the Bath and North East Somerset Local Plan

9 Biodiversity Gain and Habitat Management Plans (Pre-commencement)

No development shall take place until full details of a Biodiversity Gain Plan for on-site delivery and monitoring of Biodiversity Net Gain, and a Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plans shall deliver at least at 0.68 habitat units, which amounts to a 10% or 0.06 habitat units uplift on the existing situation.

The Plans shall be in accordance with (but not limited to) the approved Biodiversity Net Gain Assessment and with current best practice guidelines and shall include (but not be limited to) the following:

- A) An up-to-date BNG habitat map for on-site proposed habitats.
- B) Habitat Management Plan- long-term management and protection measures for all retained habitats and species, including fencing and boundary details.
- C) Long term aims and objectives for habitats (extents, quality) and species.
- D) Detailed management prescriptions and operations for newly created habitats; locations, timing, frequency, durations; methods; specialist expertise (if required).
- E) Details of any management requirements for species-specific habitat enhancements.
- F) Annual work schedule for at least a 30 year period.
- G) A list of activities and operations that shall not take place and shall not be permitted within the HMP Plan area (for example use of herbicides; disposing of grass cuttings / arisings (or other on-site waste disposal); inappropriate maintenance methods; storage of materials; machine or vehicle access.
- H) Detailed monitoring strategy for habitats and species, particularly trees and neutral grassland habitats, and methods of measuring progress towards and achievement of stated objectives.
- I) Details of proposed reporting to the Local Planning Authority and LA Ecologist, and proposed review and remediation mechanism.
- J) Proposed resourcing, and legal responsibilities.

The Biodiversity Gain and Habitat Management Plans shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To protect and enhance ecological interests in accordance with Bath and North East Somerset Placemaking Plan policies NE3, NE3a and D5e.

10 Ecological Compliance Report (Pre-Occupation)

Before first use of the development hereby approved, a report produced by a suitably experienced professional ecologist based on post-construction site visit and inspection, confirming and demonstrating, using photographs, completion and implementation of ecological mitigation measures as detailed in the approved ecology report and Biodiversity Net Gain Assessment (revised and updated version approved by condition) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Findings of any necessary pre-commencement or update survey for protected species and mitigation measures implemented;
2. Confirmation of compliance including dates and evidence of any measures undertaken to protect site biodiversity; and
3. Confirmation that proposed measures to enhance the value of the site for target species and habitats have been implemented.

All measures within the scheme shall be retained, adhered to, monitored and maintained thereafter in accordance with the approved details.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3, NE3a, and D5e of the Bath and North East Somerset Local Plan.

11 External Lighting (Bespoke Trigger)

No new external lighting shall be installed until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Lamp models and manufacturer's specifications, positions, numbers and heights; and
2. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details.

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

12 Drainage (pre-occupation)

Drainage for the development, hereby approved, shall be installed in accordance with the Drainage Strategy by CampbellReith consulting engineers dated March 2023 prior to occupation of the premises hereby approved.

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.

13 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments,

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

14 Contaminated Land - Remediation Scheme (Pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken,
- (ii) proposed remediation objectives and remediation criteria,
- (iii) timetable of works and site management procedures, and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

15 Contaminated Land - Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

16 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

17 Removal of Permitted Development Rights - Use Class (Compliance)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only for storage and distribution and light industrial use falling within use classes B8 and E(g) and for no other purpose in Class E of the schedule to that Order.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.

18 Refuse/recycling store & Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the bicycle stands (10 bicycles) and the refuse/recycling store detailed on approved drawing 101F (Site Plan) have been provided. The bicycle stands and refuse/recycling store shall be retained permanently thereafter.

Reason: To secure adequate refuse/recycling storage and off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy T.6 of the Bath and North East Somerset Local Plan.

19 Implementation of Landscaping Scheme (Bespoke Trigger)

All hard and soft landscape works shall be carried out in accordance with the submitted landscape proposals plan (1095-01A). The works shall be carried out prior to occupation of the development or in accordance with a programme of implementation that has been submitted to and agreed in writing by the Local Planning Authority.

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 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 and NE2 of the Bath and North East Somerset Placemaking Plan.

20 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 approved drawings:

06 Sep 2023	2764 - P100_B	LOCATION PLAN
06 Sep 2023	2764 - P101_G	SITE PLAN
06 Sep 2023	2764 - P200_F	FLOOR PLANS - LEVEL 0
06 Sep 2023	2764 - P201_A	FLOOR PLANS - LEVEL 1 AND ROOF
06 Sep 2023	2764 - P300_B	TYPICAL SECTION - A-A
06 Sep 2023	2764 - P400_B	ELEVATIONS
27 Sep 2023	1095-01A	LANDSCAPE PROPOSALS

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:	23/01692/LBA
Site Location:	Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Provision of new entrance gates.
Constraints:	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, Conservation Area, Policy CP9 Affordable Housing, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Mr And Mrs Roger And Kerry Parsons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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:

This decision relates to the following approved drawings:

- 09 May 2023 SITE LOCATION PLAN
- 09 May 2023 22-392-01 SURVEY
- 16 Oct 2023 22-392-10 GATES CONSTRUCTION
- 08 Nov 2023 22-392-17 PROPOSED SITE BLOCK PLAN
- 08 Nov 2023 22-392-18 PROPOSED CONCEPT SITE PLAN

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.

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:	04
Application No:	23/01693/FUL
Site Location:	Bloomfield House, 146 Bloomfield Road, Bloomfield, Bath
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Provision of garden room building and new entrance gates.
Constraints:	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, Conservation Area, Policy CP9 Affordable Housing, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Mr And Mrs Roger And Kerry Parsons
Expiry Date:	17th November 2023
Case Officer:	Ben Burke

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 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights, details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

3 Arboricultural Method Statement & Compliance Statement (Compliance)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement (T Pursey Aug 2023). A signed compliance statement shall be provided by the appointed arboriculturalist to the local planning authority within 28 days of completion.

Reason: To ensure that the approved method statement is complied with for the duration of the development to protect the trees to be retained in accordance with Policy NE6 of the Bath and North East Somerset Local Plan Partial Update.

4 External Lighting (Bespoke Trigger)

No new external lighting in connection with the garden room, hereby approved, shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights, details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

5 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 approved drawings:

09 May 2023 SITE LOCATION PLAN
09 May 2023 22-392-13 LOOSE STONE WALL REPAIR
09 May 2023 PLAN: EXTERNAL & INTERNAL GARDEN ROOM: PROPOSED DESIGN
09 May 2023 REAR ELEVATION GARDEN ROOM: PROPOSED DESIGN
09 May 2023 OVERVIEW GARDEN ROOM: PROPOSED DESIGN
16 Oct 2023 22-392-10 GATES CONSTRUCTION
08 Nov 2023 22-392-17 PROPOSED SITE BLOCK PLAN
08 Nov 2023 22-392-18 PROPOSED CONCEPT SITE PLAN

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.

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:	05
Application No:	22/04109/FUL
Site Location:	Elm Grove Farm, Lower Road, Hinton Blewett, Bristol
Ward: Mendip	Parish: Hinton Blewett LB Grade: N/A
Application Type:	Full Application
Proposal:	Conversion and extension of barn to create 1no. dwelling and replacement of all remaining buildings with 4no. dwellings together with associated hard/soft landscape works; drainage and access improvements.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing, Housing Development Boundary, Ecological Networks Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr Charlie Gamlen
Expiry Date:	20th November 2023
Case Officer:	Danielle Milsom

DECISION - Overturned, now Refuse

Item No:	06
Application No:	23/02731/FUL
Site Location:	1 Drake Avenue, Combe Down, Bath, Bath And North East Somerset
Ward: Combe Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use from dwelling (Use Class C3c) to House in Multiple Occupation (Use Class C4).
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Vertex Investments Ltd
Expiry Date:	15th December 2023
Case Officer:	Christopher Masters

DECISION - Defer for Site Visit

Item No:	07
Application No:	23/03159/FUL
Site Location:	Rockside, Mead Lane, Saltford, Bristol
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of front balcony, two storey side extension, garage and associated alterations following removal of conservatory and existing garage.
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agricultural Land Classification, British Waterways Major and EIA, British Waterways Minor and Householders, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Woodland Strategic Network Policy NE5, NRN Wetland Strategic Network Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Ian and Virginia Campbell
Expiry Date:	22nd November 2023
Case Officer:	Christopher Masters

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:

This decision relates to the following plans:

All received 24th August 2023

MEARO/21/001 EXISTING SITE PLAN
 MEARO/21/002 REV A PROPOSED SITE PLAN
 MEARO/21/01 REV A EXISTING GROUND FLOOR PLAN
 MEARO/21/02 REV A EXISTING FIRST FLOOR PLAN

MEARO/21/03 EXISTING ELEVATIONS SHEET 1 OF 2
MEARO/21/04 EXISTING ELEVATIONS SHEET 2 OF 2
MEARO/21/05 REV B PROPOSED GROUND FLOOR PLAN
MEARO/21/06 REV B PROPOSED FIRST FLOOR PLAN
MEARO/21/07 REV B PROPOSED ELEVATIONS SHEET 1 OF 2
MEARO/21/08 REV B PROPOSED ELEVATIONS SHEET 2 OF 2
MEARO/21/09 REV A GARAGE DETAILS

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.

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.

Item No:	08
Application No:	22/04565/FUL
Site Location:	The Old Post Office , Tucking Mill Lane, Midford, Bath
Ward: Bathavon South	Parish: South Stoke LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of new single storey rear extension to dwelling and relocated pedestrian gate access
Constraints:	Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr Mike Coupe
Expiry Date:	20th November 2023
Case Officer:	Christopher Masters

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.

3 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken 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.

PLANS LIST:

This decision relates to the following plans:

Received 21st September 2023

006 E PROPOSED ELEVATIONS
005 E PROPOSED PLANS
007 C PROPOSED SECTION

Received 10th November 2022

003 A EXISTING ELEVATIONS
002 A EXISTING FLOORS PLAN AND ATTIC PLAN
183 PLAN-001 A LOCATION AND SITE PLAN

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.

Civil or legal consents

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

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.

Item No:	09
Application No:	23/02958/VAR
Site Location:	Waterworks Cottage , Charlcombe Way, Fairfield Park, Bath
Ward: Lambridge	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of conditions 5 (Bicycle Storage (Pre-occupation)), 7 (Implementation of Landscaping Scheme (Bespoke Trigger)) and 15 (Plans List (Compliance)) of application 23/00895/FUL (Erection of two detached dwellings with associated means of access, car parking and associated infrastructure following demolition of existing dwelling and outbuilding (Resubmission)).
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs J & S Flavell
Expiry Date:	4th October 2023
Case Officer:	Samantha Mason

DECISION - Overturned, now Refuse

Item No:	10
Application No:	23/02496/FUL
Site Location:	9 St Ann's Way, Bathwick, Bath, Bath And North East Somerset
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of single storey rear extension, two storey and single storey side extension (replacing existing), internal re-organisation and extended loft conversion (including new dormers).
Constraints:	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, Conservation Area, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, MOD Safeguarded Areas, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs Truman
Expiry Date:	17th November 2023
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 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.

3 Arboricultural Method Statement (Pre-commencement)

No development shall take place until an arboricultural method statement with tree protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation (including demolition, clearance and level changes), during construction and landscaping operations. The statement should also include the control of potentially harmful operations such as the position of service runs and soakaways, storage, handling and mixing of materials on site, burning, location of site office and movement of people and machinery. Wording for all measures required must state what will happen and use committal language that is enforceable (eg "shall" instead of "should").

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. 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.

4 Bat Mitigation Strategy (compliance condition)

The development hereby approved shall be carried out only fully in accordance with the approved Bat Mitigation Strategy by AllEcology dated October 2023 and as shown in the drawings of "Plan 2" of Section 3 of the Bat Mitigation Strategy, and in accordance with Sections 5.8, 5.9 and 5.4 of the approved Preliminary Bat Roost Assessment report dated September 2023 by AllEcology. All measures shall be fully adhered to, and retained and maintained thereafter for the purpose of wildlife conservation. Should any part of the Bat Mitigation Strategy fail to be adhered to or correctly implemented, ecological remediation measures shall be implemented in accordance with a remediation plan produced by a suitably experienced professional ecologist (licenced bat worker) that will have first been submitted to and agreed in writing by the LPA. Should works for the development hereby approved be delayed and not commence before Spring 2024 further bat surveys as recommended in Table 5 of the approved Preliminary Bat Roost Assessment shall be carried out prior to commencement of works and the findings reported to the LPA.

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

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

No new external lighting associated with the development hereby approved shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, proposed lamp positions, numbers and heights with details also to be shown on a plan; and details of all 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 and D8 of the Bath and North East Somerset Local Plan.

6 Ecological Compliance Statement (Pre-occupation)

Within six 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 the Bat Mitigation Strategy in accordance with approved details, shall be submitted to and approved in writing by the Local Planning Authority. Any part of the Bat Mitigation Strategy found to have not been adhered to or correctly implemented will require ecological remediation measures to be implemented in accordance with a

remediation plan produced by a suitably experienced professional ecologist (licenced bat worker) which shall have first been submitted to and agreed in writing by the LPA.

Reason: To demonstrate compliance with the Bat Mitigation Strategy, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan, and to provide enforceability and remediation if applicable.

7 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. 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.

PLANS LIST:

A17 22 41- S04 and S05

A17 16- P01rev C, P02 rev E, P03 rev F, P04 rev F, P05 rev D, S01, S02, S03 all dated 5th July 2023.

All drainage works to comply with Building Regulations Approved Document Parth H. Public sewer record indicates that there is a 150mm foul sewer running alongside the property which will be impacted by the proposed extension. Applicant is to contact Wessex Water to discuss their requirements regarding protection of their asset. Work should not commence until formal approval has been granted by Wessex Water, this is in addition to planning permission.

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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.