

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

14th February 2024

DECISIONS

| | | |
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| Item No: | 01 | |
| Application No: | 23/02448/FUL | |
| Site Location: | Oval Estates (bath) Ltd, The Oval Office, Cobblers Way, Westfield | |
| Ward: Westfield | Parish: Westfield | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Conversion of office building into 9 apartments. | |
| Constraints: | Agric Land Class 3b,4,5, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, | |
| Applicant: | Mr Alan Broadway | |
| Expiry Date: | 16th February 2024 | |
| Case Officer: | Danielle Milsom | |

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 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs, implementation of the recommendations of the PRELIMINARY ROOST & NEST ASSESSMENT has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policy D5e of the Bath and North East Somerset Placemaking Plan and policies NE3, NE5 and NE3a of the Bath and North East Somerset Local Plan Partial Update.

3 Precautionary Working Methods for Bats and Birds (Compliance)

The development must proceed only in accordance with the following measures for the protection of bats and birds:

1. A careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the building and its roof, prior to any works affecting these areas;
2. Active nests shall be protected undisturbed until the young have fledged;
3. Works to the roof and any areas with potential to support concealed spaces or crevices shall be carried out by hand, lifting tiles (not sliding) to remove them, and checking beneath each one.
4. If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding.

Reason: To protect nesting birds and bats and prevent ecological harm in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE3 of the Bath and North East Somerset Local Plan Partial Update

4 Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with policy SCR5 of the Placemaking Plan.

5 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

6 CP1 Major or Medium Works to an Existing Building (Pre-occupation)

Prior to the occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Checklist Supplementary Planning Document) shall be completed in respect of the completed development and submitted for approval to the Local Planning Authority together with the further documentation listed below. The development must comply with the requirements of CP1.

1. Table 4
2. Building Regulations Part L post-completion documents for renewables;
3. Building Regulations Part L post-completion documents for energy efficiency;
4. Microgeneration Certification Scheme (MCS) Certificate/s (if renewables have been used)

Reason: To ensure that the approved development complies with Policy CP1 of the Local Plan Partial Update

7 Waste Management Plan (Compliance)

The construction of the development shall be undertaken in accordance with the approved waste management plan.

Reason: To ensure that 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.

8 Parking (Compliance)

The areas allocated for parking and turning on submitted plan(s) reference OOPA002 B ; 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.

9 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:

OS Extract - 3 July 2023 - OOPA001 - Location Plan
Drawing - 3 July 2023 - OORS003 A - Proposed Plans and Elevations
Drawing - 8 Dec 2023 - OOPA002 B - Proposed Site Plan
Revised Drawing - 8 Dec 2023 - OOPA007 B - Proposed Parking Layout
Revised Drawing - 8 Dec 2023 - OORS004 B - Bin and Bike Store-Plans and Elevations

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.

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. 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.

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| Item No: | 02 |
| Application No: | 22/05081/FUL |
| Site Location: | 53 Rockliffe Road, Bathwick, Bath, Bath And North East Somerset |
| Ward: Bathwick | Parish: N/A LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Erection of a three-bedroom dwelling with associated landscaping and car parking (Resubmission). |
| Constraints: | Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Ecological Networks Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, |
| Applicant: | Mr and Mrs Ian and Sian Millward |
| Expiry Date: | 28th February 2024 |
| Case Officer: | Isabel Daone |

DECISION - Deferred for site visit.

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| Item No: | 03 |
| Application No: | 23/00537/FUL |
| Site Location: | 14 Woodland Grove, Claverton Down, Bath, Bath And North East Somerset |
| Ward: Bathwick | Parish: N/A LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Erection of first floor extension over existing single-storey accommodation with ground floor entrance lobby |
| Constraints: | Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones, |
| Applicant: | Mrs D Johnson |
| Expiry Date: | 16th February 2024 |
| Case Officer: | Paige Moseley |

DECISION - Deferred for site visit.

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| Item No: | 04 |
| Application No: | 23/04756/FUL |
| Site Location: | 109 Hurn Lane, Keynsham, Bath And North East Somerset, BS31 1SG |
| Ward: Keynsham East | Parish: Keynsham Town Council LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Erection of single storey rear and front extensions and garage conversion |
| Constraints: | Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro, |
| Applicant: | Mr Liam Clements |
| Expiry Date: | 16th February 2024 |
| Case Officer: | Paige Moseley |

DECISION PERMIT

1 Standard Time Limit (Compliance)

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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:

20 Dec 2023 (3)001 SITE LOCATION PLAN
20 Dec 2023 (3)003 PROPOSED PLAN AND ELEVATIONS

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

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