

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

7th May 2025

DECISIONS

Item No:	001	
Application No:	24/01135/FUL	
Site Location:	Kennet Lodge , Kennet Park, Bathampton, Bath	
Ward: Bathavon North	Parish: Bathampton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Reconfiguration and alteration of existing dwelling, including a single storey extension to North of property, and an additional storey of first floor bedroom accommodation to replace existing pitched roof of chalet bungalow.	
Constraints:	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, British Waterways Major and EIA, British Waterways Minor and Householders, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, NRN Wetland Strategic Network Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Mr Nathan Sheppard	
Expiry Date:	9th May 2025	
Case Officer:	Ed Allsop	

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 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 policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

3 Samples- dormer (Bespoke Trigger)

No construction of the external walls of the dormer windows shall commence until a samples are submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure an appropriate colour adjacent to the slate, in the interests of the appearance of the development and the surrounding area in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

4 Roofing Materials (Bespoke Trigger)

No construction of the roof of the development shall commence until a schedule and samples of all external roofing materials has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter 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 policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

5 Boundary wall protection during construction (pre-commencement)

No development or other building operations shall commence until a detailed methodology and plan have been submitted demonstrating how the historic boundary wall will be protected during construction. The works shall thereafter take place in accordance with these approved details.

Reason: In the interests of protecting the historic boundary wall in compliance with policy HE1 of the placemaking plan.

6 Windows (bespoke trigger)

No installation of the windows shall take place until a detailed cross section drawing of the window reveals have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of the character and appearance of the dwelling and area, including heritage assets.

7 Green roof planting and maintenance schedule (Pre-occupation)

No occupation of the development shall take place until a planting specification and maintenance schedule has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the works are implemented and maintained in the interests of the appearance of the area in accordance with Policies D1 and D2 of the Bath and North East Somerset Placemaking Plan.

8 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.

9 Arboricultural Method Statement (bespoke trigger):

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

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.

10 Precautionary Working Methods (Compliance condition):

Works must proceed only in accordance with the following measures for the protection of bats:

- o Appointment of a suitably qualified Ecological Clerk of Works to specify and oversee precautionary working methods;

- o A careful visual check for signs of bats shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, immediately prior to any works affecting these areas;
- o Works to the roof and any areas with concealed spaces or crevices shall be carried out using "soft strip" methods, by hand, lifting materials (not sliding) to remove them, and checking beneath each one;
- o The site manager and site workers shall be briefed on appropriate ecologically sensitive methods and an ecologist shall be available on call to deal with any unexpected or last-minute discoveries of bats or roosts; and
- o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or the on-call licenced bat worker shall be contacted for advice before proceeding.

Reason: to avoid harm to protected species (bats) in compliance with policy NE5 of the placemaking plan.

11 Ecological Compliance Statement (Bespoke trigger)

No occupation of the development hereby approved shall commence until a statement confirming and demonstrating, using photographs, adherence to and completed implementation of the precautionary working methods in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Evidence and written confirmation that all ecological mitigation and compensation measures for bats, including precautionary working methods and pre-commencement checks were followed;
2. Provision of features to benefit wildlife as set out in Section 5.2 of the approved Bat Survey Report produced by Johns Associates dated November 2023, to include, two bat boxes and wildlife-friendly planting; have been installed on site according to advice and specifications provided by a suitably experienced professional ecologist; and

All measures within the scheme shall be retained, monitored and maintained thereafter in accordance with the approved details and for the purpose of wildlife conservation.

Reason: To demonstrate the completed implementation of ecological mitigation and enhancement measures, to prevent ecological harm and to provide biodiversity gain in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) the NPPF and policies NE3, NE5 and D5e of the placemaking plan.

12 External Lighting (Bespoke trigger - requires approval of details prior to installation of new lighting)

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Proposed lamps and lamp models, with manufacturer's specifications; proposed lamp positions; numbers and heights, with details also to be shown on a plan; and
2. Details of lighting controls; proposed hours, frequency and duration of use; and details of all measures and features to contain light spill, and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to limit use of lights when not required this shall include the use of short-duration (<2 minutes) timers; and to avoid harm to bat activity and other wildlife.

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

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the placemaking plan.

13 Landscape boundary screening (Bespoke Trigger)

No construction of the front extension hereby approved shall take place beyond slab level shall take place until full details of soft landscaping proposals, specifically for the northern boundary, and a programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

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

The works shall thereafter take place in accordance with these approved details and prior to the occupation of the front extension.

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 D6 of the Bath and North East Somerset Placemaking Plan

14 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:

Proposed site plan- P 002- P04
Proposed ground floor- P 101- P04
Proposed first floor- P 102- P04
Proposed roof plan- P 103- P04
Proposed north east elevation- P 201- P04
Proposed north west elevation- P 202- P04
Proposed south west elevation- P 203- P04
Proposed south east elevation- P204- P04
Proposed section AA- P 204- P04
Proposed section BB- P 302- P04

Existing site plan
Existing ground floor plan
Existing roof plan
Existing elevations 01
Existing elevations 02
Existing section AA
Existing section BB
Existing section CC
Location plan

Biodiversity Net Gain - Exempt/Not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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 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.

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework.