

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**25<sup>th</sup> September 2024**

**UPDATE REPORT AND OBSERVATIONS RECEIVED SINCE THE  
PREPARATION OF THE MAIN AGENDA**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1	24/01168/REG03	Land To The Rear Of 89-123, Englishcombe Lane, Southdown, Bath

**Page 62 of Public Reports Pack insert:**

Further response from Natural England received 16 September 2024:

“We have reviewed the shadow Habitats Regulations Assessment (Engain, 10 July 2024) together with the comments of your authority’s ecologist dated 9 September 2024.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. In particular, we support the inclusion of the planning conditions set out in the response of your authority’s ecologist, dated 9 September 2024.

**Page 68 of Public Reports Pack insert:**

One further comment raising objections to the development received 22<sup>nd</sup> September 2024. Grounds of objection are summarised as follows:

- Part of Culverhay School site could be used for this development instead of the Englishcombe Lane site;
- Concerns relating to loss of and impact to 'tufa' habitats at the site;
- 'Tufa' habitats are unique ecosystems that cannot be replicated elsewhere;
- Biodiversity net gain proposals will not compensate for loss of 'tufa' habitats;
- Deer, foxes, bats and badgers will be deterred from site by human presence;
- Biodiversity report inaccurate due to failing to include pre-development lawnmowing;
- Slow worms at the site harmed by lawnmowing;
- The site contains irreplaceable habitats that will be destroyed by development;
- Proposals to develop the site go against previous commitments by the Council to protect ecology and green spaces;

**Page 122-123 of Public Reports Pack insert:**

Condition no. 27 Plans List (Compliance) replace drawings:

Drainage Strategy 30210292-AUK-XX-XX-SK-CE-05 REV 02 06 September 2024; and  
Overland Flows Plan 30210292-AUK-XX-XX-SK-CE-0504 REV 03 06 September 2024.

With:

Drainage Strategy 30210292-AUK-XX-XX-SK-CE-0503 REV 02 06 September 2024; and  
Overland Flows Plan 30210292-AUK-XX-XX-SK-CE-0504 REV 02 06 September 2024;

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
2	24/00523/FUL	Chalfont, Charlcombe Lane, Lansdown BA1 5TP

Update:

A revised outline drainage strategy has been received which indicates a suitable attenuation volume for the development can be achieved. The outline drainage strategy is considered to be acceptable and suitably worded condition to secure full details prior to commencement is to be added and will follow.

The plans list is also updated to include:

Drawing 20 Sep 2024 AQUAHARVEST DOMESTIC DRAWING  
Revised Drawing 20 Sep 2024 OUTLINE DRAINAGE DESIGN

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
4	23/02251/FUL	48 Hillcrest, Pensford, Bristol, BS39 4AT

Update:

The following condition has been attached.

### **Landscape Design Proposals (Bespoke Trigger)**

No development beyond slab level shall take place until full details of both hard and soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

1. Proposed finished levels or contours
2. Means of enclosure
3. Car parking layouts
4. Other vehicle and pedestrian access and circulation areas
5. Hard surfacing materials
6. Minor artefacts and structures (eg outdoor furniture, play equipment, refuse or other storage units, signs, lighting)
7. Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)
8. Retained historic landscape features and proposals for restoration, where relevant

Soft landscape details shall include:

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, including replacement trees

Reason: To ensure the provision of amenity and a satisfactory quality of environment afforded by appropriate landscape design and tree replacement in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
5	24/01947/FUL	21 Darlington Place, Bathwick, BA2 6BX

Update:

The following condition has been amended to add the no construction of walls, before samples are received also.

**Materials (Bespoke Trigger)**

No construction of the roof or walls of the development shall commence until a specification and samples of all external walling and 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 Policies D1, D2, D3, D5 and HE1 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.