

Town and Country Planning Act 1990

NOTIFICATION OF DECISION

Application Type: **Full Application** Application No: **22/03288/FUL**

Address to which the proposal relates: **St Julian's Church, High Street, Wellow, Bath**

Description of Proposal: **Erection of single storey extension to church to provide WC and kitchen facilities.**

Application submitted by: **Parochial Church Council**

The above development is **PERMITTED** in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

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 ARC02 - Archaeology Controlled Excavation & Historic Building Recording (Pre-commencement)

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled excavation of all significant deposits and features which are to be disturbed by the proposed development, together with a record of those parts of the building, which are to be demolished, disturbed or concealed by the proposed development and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of major archaeological interest and the church tower has potential medieval fabric within it that is of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

3 Archaeology - Post Excavation and Publication (Pre-occupation)

No occupation of the development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan.

4 External and Internal Lighting (Bespoke Trigger)

No new external or internal 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;
2. Predicted lux levels and light spill including upwards light spill onto the Tower;
3. 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, including physical barriers to upwards light spill.
4. An assessment completed by a suitably qualified ecologist which confirms that the lighting proposals will not significantly impact on roosting bats.

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 the Conservation of Habitats and Species Regulations 2017 (as amended) and policies NE3 and D8 of the Bath and North East Somerset Local Plan.

5 Implementation of Wildlife Mitigation and Enhancement Scheme (Bespoke Trigger)

Before first use of the development hereby approved a statement confirming and demonstrating, using photographs, installation of at least one bat and/or bird box and implementation of the approved lighting scheme, shall be submitted to and approved in writing by the Local Planning Authority. Features shall be retained and maintained in accordance with the approved details.

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

6 Elevation Details (Bespoke Trigger)

No construction of the extension superstructure shall commence until full details comprising 1:20 elevations have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

7 Structural Engineers Report & Schedule of Works for formation of Opening in Tower (Bespoke Trigger)

No construction of the doorway through the tower shall commence until a structural engineers report is submitted, taking into account relevant findings from the archaeological investigation into the towers construction, as set out in Condition 3, and a methodology statement, setting out details of the construction of the door opening 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 structural stability of the development in accordance with Policy HE1 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

8 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, D5 and HE1 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

9 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.

10 Mortar Mix (Bespoke Trigger)

No re-pointing shall be carried out until details of the specification for the mortar mix and a sample area of pointing demonstrating colour, texture, jointing and finish have been provided in situ for the inspection and approval in writing by the Local Planning Authority and retained for reference until the work has been completed. Once approved the works shall be completed in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

11 Extension Joinery Details (Bespoke Trigger)

No installation of the doors, rooflight and windows shall commence until full details comprising 1:20 drawings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

12 Tower Door Details (Bespoke Trigger)

No installation of the opening and door in the north wall of the tower shall commence until full details comprising 1:20 drawings showing the door surround, door design and fittings have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

13 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:

Drawing	16 Aug 2022	571-P-01-	PROPOSED LOCATION AND ROOF PLAN
Drawing	16 Aug 2022	571-P-02E-	PROPOSED GROUND FLOOR PLAN
Drawing	16 Aug 2022	571-P-03A-	PROPOSED ELEVATIONS

Drawing	16 Aug 2022	571-P-04	PROPOSED SECTION AA
Drawing	16 Aug 2022	571-P-05-	PROPOSED SECTION BB
Drawing	16 Aug 2022	571-P-06-	PROPOSED SECTIONS
Drawing	16 Aug 2022	571-P-07-	PROPOSED DOORWAY
Drawing	16 Aug 2022	571-P-08-	WEST ELEVATION - EXISTING AND PROPOSED
Drawing	16 Aug 2022	571-P-09-	NORTH ELEVATION - EXISTING AND PROPOSED
Drawing	16 Aug 2022	571-P-10-	PROPOSED BLOCK PLAN
Drawing	16 Aug 2022	571-P-11-	PROPOSED ELEVATIONS
Drawing	16 Aug 2022	571-S-02-	EXISTING GROUND FLOOR PLAN
Drawing	16 Aug 2022	571-S-04-	EXISTING BLOCK PLAN
Drawing	16 Aug 2022	571-S-05-	EXISTING SECTIONS
Drawing	16 Aug 2022	571-S-06-	EXISTING 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

Before any development authorised by this general consent is commenced, a notice of chargeable development ("Form 5") **must** be submitted to the Council in respect of the development under CIL Regulations 2010 Regulation 64 (as Amended). There are certain procedures required by CIL in respect of assuming liability and notifying the Council of commencement. Failure to comply with the requirements of CIL could result in surcharges and additional payments. Further information regarding CIL can be found on the Council's website at www.bathnes.gov.uk/cil. A copy of "Form 5" can be found [here](https://ecab.planningportal.co.uk/uploads/1app/forms/form_5_notice_of_chargeable_development.pdf)

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.

Date of Decision: 21st March 2023

Simon de Beer

Head of Planning

IMPORTANT NOTE - The above decision refers to Planning Permission only and does not grant or imply Listed Building Consent, Advertisement Consent, Building Regulation or other consents under any other legislation.

APPEALS TO THE FIRST SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (8 weeks for Advertisement appeals).
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online: Full Planning application Appeals can be made at: <https://www.gov.uk/appeal-planning-decision>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the First Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.