

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 27th July, 2016, 2.00 pm

| | | |
|-----------------------------|---|--------------------------------------|
| Councillor Rob Appleyard | - | Bath & North East Somerset Council |
| Councillor Paul Crossley | - | Bath & North East Somerset Council |
| Councillor Matthew Davies | - | Bath & North East Somerset Council |
| Councillor Sally Davis | - | Bath & North East Somerset Council |
| Councillor Eleanor Jackson | - | Bath & North East Somerset Council |
| Councillor Les Kew | - | Bath & North East Somerset Council |
| Councillor Bryan Organ | - | Bath & North East Somerset Council |
| Councillor Caroline Roberts | - | Bath & North East Somerset Council |
| Councillor Vic Pritchard | - | Bath and North East Somerset Council |
| Councillor Brian Simmons | - | Bath and North East Somerset Council |

23 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

24 ELECTION OF VICE CHAIRMAN (IF DESIRED)

Councillor Organ moved that Councillor Kew be appointed Vice Chair for this meeting. This was seconded by Councillor Simmons. It was noted that Councillor Kew would take the Chair for the consideration of planning application number 16/01982/FUL as the Chair would be leaving the room for this item.

RESOLVED that Councillor Kew be appointed Vice Chair for this meeting.

25 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The following apologies for absence were received:

Councillor Jasper Becker – Councillor Brian Simmons acted as substitute.
Councillor David Veale – Councillor Vic Pritchard acted as substitute.

26 DECLARATIONS OF INTEREST

Councillor Sally Davis made a statement regarding planning application number 16/01982/FUL – 8 Rectory Close, Farmborough, Bath, BA2 0EW (Item 6, Report No. 9). She explained that she knew the architect as he had previously done some work for her. She did not have a close association with him which would amount to an interest under the code of conduct, but in the interests of transparency she would leave the meeting while this item was considered.

27 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no urgent items.

28 **ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

Rosemary Naish, Chair of Clutton Parish Council, made a general statement regarding the accuracy of the minutes of the last meeting. She stated that there had been no mention of the height of the hedge in the motion put forward by Councillor Jackson and asked that the reference to a height of "1m" be removed. The Chair stated that the Committee would consider this matter when discussing whether the minutes should be approved as a correct record.

29 **ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There were no items from councillors or co-opted members.

30 **MINUTES - 29 JUNE 2016**

The minutes of the meeting held on 29 June 2016 were approved as a correct record and signed by the Chairman subject to the following amendment:

Minute No. 21 – Item No. 1 – Application No. 14/05692/RES – Parcel 0006, Maynard Terrance, Clutton – Amend paragraph 12 to read:

Councillor Jackson moved to delegate to officers to permit planning permission subject to conditions to adequately control the materials used and that the proposed replacement hedgerow at the frontage of the development was introduced to a suitable height and was to be outside of the private ownership of the properties facing the hedgerow. This was seconded by Councillor Crossley.

31 **MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

- A report by the Group Manager (Development Management) on various planning applications.
- An update report by the Group Manager (Development Management) on Item 5 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

RESOLVED that in accordance with the Committee's delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 3* to these minutes.

Item No. 1

Application No. 16/01581/FUL

**Site Location: 104 Faulkland View, Peasedown St John, Bath, BA2 8TQ –
Erection of a single storey extension to garage**

The Case Officer reported on the application and her recommendation to delegate to grant planning permission.

The registered speaker, Councillor Sarah Bevan, declared a disclosable pecuniary interest in this application as her property was next door to the site and would be affected by any decision made by the Committee. Councillor Bevan made a statement against the application in her capacity as a private individual and then went on to speak against the application in her capacity as Ward Councillor.

In response to a question the Case Officer confirmed that the extension would not come right out to the front of the house. Members also asked some questions regarding the roof and whether this would be a flat or hipped roof, and if a flat roof which materials would be used. The Case Officer had not received the necessary information to clarify these issues.

Councillor Crossley moved that consideration of this application be deferred pending a site visit to clarify the issues raised. This was seconded by Councillor Roberts.

The motion was put to the vote and it was **RESOLVED** by 8 votes for and 2 abstentions to **DEFER** consideration of this application pending a site visit.

Item No. 2

Application No. 16/01580/FUL

Site Location: 106 Faulkland View, Peasedown St John, BA2 8TQ – Erection of a single storey extension to garage and inclusion of parking space to the front

The Chair explained that this item had been withdrawn from the agenda due to further comments received from the Highways Team which needed to be considered.

Items No. 3 and 4

Application No. 16/01783/REG13

Colonnade Beneath Street, Grand Parade, Bath – Alterations to facilitate the change of use of the undercroft and vaults to restaurants and/or museum, including the provision of a staircase and lift at Grand Parade, the raising of internal floor levels, new openings in existing walls, new partitions and venting equipment, the removal and reconstruction of the ashlar stone screen wall incorporating glazed openings and steps, the installation of lighting, re-surfacing and works to Grand Parade, ground surfacing of Boat Stall Lane, alterations to existing waterside balustrade and all other associated works

Application No; 16/01782/REG03

Site Location: Colonnade Beneath Street, Grand Parade, Bath – Change of use of vault and undercroft spaces to restaurants (A3) and/or Museum use (D1) with works to allow pedestrian access to Lower Boat Stall Lane and the Colonnade and to facilitate future access to Slippery Lane. Provision of stair

and lift access to the undercroft/vault spaces on the public highway and associated works to the highway to facilitate the development

The Case Officer reported on the applications and her recommendation to grant listed building consent and delegate to grant planning permission. She explained that the following additional conditions could be included if the Committee agreed:

- The provision of a Tree Strategy.
- The inclusion of a Waste and Refuse Strategy
- The inclusion of a Drainage Strategy to address any issues in the vicinity of the Empire Hotel.

The registered speakers spoke against the application.

Councillor Peter Turner, local Ward Councillor, spoke regarding the lack of detail provided and requested that the decision be deferred pending further information and a site visit.

Councillor Jackson asked for further information about waste disposal from the site. The Case Officer explained that this would be addressed by the Waste Strategy which could be included as an extra condition.

In response to a question from Councillor Appleyard the Case Officer confirmed that the application would permit flexible use allowing for restaurants or a museum.

Councillor Roberts asked whether the access point to the site would be for 24 hours per day. Officers explained that there would be public access until approximately 7pm and then access would be restricted by the operators of the site.

Councillor Pritchard asked questions regarding the proposed staircase, the build-out and how it would operate. He had concerns regarding possible congestion in the area and asked whether traffic would be impeded. Officers explained that there was less build-out in the revised application and confirmed that checks had been made to ensure large buses could still manoeuvre in the area and in the parking bays.

In response to a question from Councillor Crossley it was confirmed that the lightwell would not compromise the listed building so was not a reason to refuse the application. Any issues arising would be a civil matter between the applicant and residents of the Empire Hotel. The Principal Solicitor advised that issues relating to land use and the setting of the listed building were material, but private matters such as insurance costs were not.

Councillor Kew expressed concern regarding the location of the stairwell and asked whether the build-out could be reduced. Officers explained that it was not possible to change the location due to the vaults underneath the construction and confirmed that this matter had been discussed with the applicant.

Councillor Pritchard stated that he was still unhappy with the proposed stairwell. He felt that good planning decisions should avoid civil confrontation and the residents of the Empire Hotel had concerns that the dividing wall would prevent access.

Councillor Pritchard moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Kew.

The motion was put to the vote and there were 2 votes for, 7 votes against and one abstention. The motion was therefore **LOST**.

Councillor Organ then moved to delegate to grant permission and to grant listed building consent as per the officer recommendations. This was seconded by Councillor Crossley.

Councillor Crossley spoke in favour of the application and stated that it was an imaginative design. The applicant had responded to the previous concerns raised by the Committee. The development would open up Boat Stall Lane and the Colonnades and would be beneficial. He stated that if the Committee decided to approve the application then they should ensure that the potential access through Slippery Lane was not compromised and was preserved.

It was also noted that there would be a condition to ensure that no development shall commence until archaeological investigation work has taken place.

Councillor Pritchard stated that he remained unhappy with the proposal and felt there were still issues that needed to be addressed. It was important to ensure that the details were correct and take time to address concerns raised.

Councillor Roberts stated that she believed the application was as good as it could be now and that the development now needs to commence. She stressed the importance of addressing tour bus arrangements and delivery access.

Councillor Kew stated that he supported the application but that more time should be taken to ensure that the Council gets things right with this very important development.

Councillor Jackson stated that the development was a good use for derelict space. She also stressed the importance of river safety in this location. She felt that on balance the benefits outweighed any problems.

The motion was then put to the vote and it was **RESOLVED**:

- (1) By 6 votes for and 4 votes against to **DELEGATE TO PERMIT** the application subject to conditions.
- (2) By 7 votes for, 2 votes against and 1 abstention to **GRANT LISTED BUILDING CONSENT** subject to conditions.

Item No. 5

Application No: 16/01913/FUL

**Site Location: Car Park Between 2 and 4 Silver Street, Midsomer Norton –
Erection of 8 two bed apartments, associated parking and landscaping**

The Case Officer reported on the application and her recommendation for refusal.

The registered speakers spoke for and against the application.

Councillor Paul Myers, local Ward Councillor spoke in favour of the application.

In response to a question from Councillor Crossley the Case Officer reported that the distance from the window to the neighbouring property was 15m. It was advised that whilst Inspectors sometimes use a rule of thumb distance guide of approximately 20m there is no specific distance requirement and each application should be looked at based upon its particular context.

In response to a question from Councillor Roberts the Case Officer confirmed that there was no evidence to suggest that noise would be an issue if the application were permitted and in any town centre location there is some acceptance that there would be noise from traffic and activity but the application was not recommended for refusal on noise grounds.

In response to a question from Councillor Pritchard the Case Officer explained that there were different ways of treating white lias stone.

Councillor Jackson stated that the site would be over developed and that the design was of poor quality. She also pointed out that the area was prone to flooding, the design offered poor security and the development would exacerbate the issue of retail giving way to residential development in this area. She then moved that planning permission be refused for the reasons set out in the officer report. This was seconded by Councillor Appleyard.

Councillor Kew felt that this proposal offered the best way of developing the site. He noted that the local Councillor was in favour of it. It would complement the bank building, be an excellent use of the land and would provide good quality housing.

The motion was put to the vote and there were 5 votes for and 5 votes against. The Chair used her casting vote in favour of the motion. It was therefore **RESOLVED** to **REFUSE** the application for the reasons set out in the officer report.

Item No. 6

Application No: 16/01982/FUL

Site Location: 8 Rectory Close, Farmborough, Bath, BA2 0AW – Erection of double garage following demolition of 2 existing

The Chair (Councillor Sally Davis) left the meeting while this application was considered and Councillor Kew took the Chair.

The Case Officer reported on the application and her recommendation to permit the application.

The registered speaker spoke against the application.

Councillor Organ moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Roberts.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to the conditions set out in the report.

**Item No. 7
16/01145/FUL**

Site Location: Plot between Croft House and 1, The Croft, Monkton Combe, Bath – Erection of single dwelling and car parking for 2 vehicles following the demolition of existing garages

Councillor Sally Davis resumed the Chair.

The Case Officer reported on the application and her recommendation to permit the application.

The registered speakers spoke for and against the application.

Councillor Jackson moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** to **PERMIT** the application subject to the conditions set out in the report.

32 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES

The Committee considered the appeals report.

It was **RESOLVED** to **NOTE** the report.

The meeting ended at 4.25 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 27th July 2016

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

ITEMS FOR PLANNING PERMISSION

ITEM

| Item No. | Application No. | Address |
|-----------------|------------------------|---|
| 5 | 16/01913/FUL | Car Park Between 2 and 4 Silver Street, Midsomer Norton |

OFFICER ASSESSMENT:

Materials:

Following the drafting of the Committee Report revised details have been received to confirm that the building is now proposed to be constructed of White Lias stone and Brick.

This change to the external materials is welcomed although the use of man made slate or clay tiles as a roofing material remains.

In conclusion, whilst the issue of unsatisfactory external walling materials has now been resolved, the overall poor quality of the proposal by way of its external and internal design still remains and there is no change to the Officer recommendation in the main report.

Parking:

It has been confirmed that each of the 8no flats will be provided within a single parking space and a further space will be provided for visitors.

Recommendation:

As in the main report.

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BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES MAK A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 27 JULY 2016

| A. MAIN PLANS LIST | | | |
|---------------------------|---|--|--------------------|
| ITEM NO. | SITE NAME | SPEAKER | FOR/AGAINST |
| 1 | 104 Faulkland View, Peasedown St John | Councillor Sarah Bevan | Against |
| 3 and 4 | Colonnade Beneath Street, Grand Parade, Bath | Anne Robins – Empire Owners Association Committee | Against |
| | | Councillor Peter Turner (Ward Councillor) | N/A |
| 5 | Car Park between 2 and 4 Silver Street, Midsomer Norton | Mario Cicirello | Against |
| | | John White | For |
| | | Councillor Paul Myers (Ward Councillor) | For |
| 6 | 8 Rectory Close, Farmborough | Cllr Jean Rogers – Farmborough Parish Council | Against |
| 7 | Plot between Croft House and 1 The Croft, Monkton Combe | Cllr Lyn Alvis – Monkton Combe Parish Council | Against |
| | | David Aitkin (on behalf of Jennifer Chapman and Terry and Julie Doman) | Against |
| | | Nick Alexander – Monkton Combe School (Applicant) | For |

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BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

27th July 2016

DECISIONS

| | | |
|--------------------------------|---|-----------|
| Item No: | 01 | |
| Application No: | 16/01581/FUL | |
| Site Location: | 104 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset | |
| Ward: Peasedown St John | Parish: Peasedown St John | LB |
| Grade: N/A | | |
| Application Type: | Full Application | |
| Proposal: | Erection of a single storey extension to garage. | |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, | |
| Applicant: | Mr Griffiths | |
| Expiry Date: | 30th June 2016 | |
| Case Officer: | Chloe Buckingham | |

DECISION Deferred for site visit

| | | |
|--------------------------------|---|-----------|
| Item No: | 02 | |
| Application No: | 16/01580/FUL | |
| Site Location: | 106 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset | |
| Ward: Peasedown St John | Parish: Peasedown St John | LB |
| Grade: N/A | | |
| Application Type: | Full Application | |
| Proposal: | Erection of a single storey extension to garage and inclusion of parking space to the front. | |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, | |
| Applicant: | Mr Palmer | |
| Expiry Date: | 30th June 2016 | |
| Case Officer: | Chloe Buckingham | |

DECISION Deferred for further information

| | |
|-----------------|----|
| Item No: | 03 |
|-----------------|----|

| | |
|--------------------------|---|
| Application No: | 16/01783/REG13 |
| Site Location: | Colonnade Beneath Street, Grand Parade, City Centre, Bath |
| Ward: Abbey | Parish: N/A LB Grade: N/A |
| Application Type: | Regulation 13 Application |
| Proposal: | Alterations to facilitate the change of use of the undercroft and vaults to a restaurants and/or a museum, including the provision of a staircase and lift at Grade Parade, the raising of internal floor levels, new openings in existing walls, new partitions and venting equipment, the removal and reconstruction of the ashlar stone screen wall incorporating glazed openings and steps, the installation of lighting, re-surfacing and works to Grand Parade, ground surfacing of Boat Stall Lane, alterations to existing waterside balustrade, and all other associated works |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, Centres and Retailing, Conservation Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site, |
| Applicant: | Bath And North East Somerset Council Property Services |
| Expiry Date: | 29th July 2016 |
| Case Officer: | Tessa Hampden |

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 Treatment of the vaults and undercroft ((Bespoke Trigger)

Prior to commencement of the internal works full survey details of the existing condition of the vaults and undercroft, together with a full repair schedule and detailed method statement for the conversion and damp proofing works are to be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

3 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls surfaces shall commence until a sample panel of all new external walling materials to be used have been erected on site and approved in writing by the Local Planning Authority. They must be 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 D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

4 Vent/railing details (Bespoke Trigger)

Prior to commencement of the installation of the vents or railings, large scale details shall first have been submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

5 Further details -openings (Bespoke Trigger)

No demolition works shall commence until the the precise areas of structure to be removed to provide openings between the vaults, and the finish treatment of the new openings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

6 Lighting (Bespoke Trigger)

Prior to any lighting being installed, full details including the design of the light fittings shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

7 Further details- gates (Bespoke Trigger)

Prior to installation of the steel gates, details of the finishes and colours of these shall be submitted to the Local Planning Authority for approval in writing and installed in accordance with these approved details.

To safeguard the character and appearance of the listed building together with that of the Bath City Conservation Area.

8 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:

| | | |
|-------------|-------------------------|--|
| 12 Apr 2016 | 15121_D_003_B | UNDERCROFT WINDOW DETAILS |
| 12 Apr 2016 | 15121_D_004_C | VAULTS WINDOW DETAILS |
| 12 Apr 2016 | 15121_D_005_B | COLONNADE BRIDGE ABUTMENT STAIRS DETAILS |
| 12 Apr 2016 | 15121_D_006_B | DOOR TO PARADE GARDENS DETAILS |
| 12 Apr 2016 | 15121_D_007_C | COLONNADE BALUSTRADE DETAILS |
| 12 Apr 2016 | 15121_D_011_C | BOATSTALL LANE DETAIL PATH |
| 12 Apr 2016 | 15121_D_020_D | PROPOSED NORTH ACCESS STAIR DETAILS |
| 12 Apr 2016 | 15121_L_002_C | PROPOSED UNDERCROFT LEVEL |
| 12 Apr 2016 | 15121_L_004_D | SECTION THROUGH ACCESS |
| 12 Apr 2016 | 15121_L_005_E | HARD SURFACING HIGHWAY LEVEL |
| 12 Apr 2016 | 15121_L_007_D | EXISTING UNDERCROFT PLAN |
| 12 Apr 2016 | 15121_L_008_C | DEMOLITION PLAN |
| 12 Apr 2016 | 15121_L_009_C | DEMOLITION RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_010_C | DEMOLITION INTERNAL |
| 12 Apr 2016 | 15121_L_011_C | DEMOLITION 3D VIEW |
| 12 Apr 2016 | 15121_L_012_F | PROPOSED PLAN |
| 12 Apr 2016 | 15121_L_013_C | EXISTING AND PROPOSED RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_014_C | PROPOSED ELEVATION FROM PARADE GARDENS |
| 12 Apr 2016 | 15121_L_015_D | PROPOSED RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_016_F | PROPOSED SCREEN ELEVATIONS |
| 12 Apr 2016 | 15121_L_017_C | PROPOSED LONG SECTIONS |
| 12 Apr 2016 | 15121_L_018_C | PROPOSED UNDERCROFT SECTION |
| 12 Apr 2016 | 15121_L_020_C | VAULTS SECTIONS |
| 12 Apr 2016 | 15121_L_021_B | PROPOSED SECTION THROUGH EASY ACCESS PLA... |
| 12 Apr 2016 | 15121_L_022_C | PROPOSED REAR WALL |
| 12 Apr 2016 | 15121_L_023_D | PROPOSED 3D VIEW |
| 12 Apr 2016 | 15121_L_024_C | BOATSTALL LANE NORTH FACING ELEVATIONS |
| 12 Apr 2016 | 15121_L_025_C | BOATSTALL LANE SOUTH FACING ELEVATION |
| 12 Apr 2016 | 15121_L_026_C | SECTION THROUGH LIFT |
| 12 Apr 2016 | 15121_L_1000_B | TOPOGRAPHICAL VAULTS LAYOUT |
| 12 Apr 2016 | 15121_L_2000_A | PUBLIC REALM EXISTING HIGHWAY |
| 12 Apr 2016 | 307GPUDM / P30 / 001 T2 | INCOMING SERVICES PRINCIPLES |
| 12 Apr 2016 | 307GPUDM / V50 / 001 T2 | LIGHTING LAYOUT UNDERCROFT |
| 12 Apr 2016 | 307GPUDM / V50 / 002 T2 | LANDORD SERVICES PRINCIPLE PLAN |
| 12 Apr 2016 | 307GPUDM / V50 / 002 T2 | LIGHTING LAYOUT STREET |
| 20 May 2016 | 15121 L028A | LIFT ELEVATIONS |
| 03 May 2016 | 307GPUDM U90 001 | REV T3 VENTILATION STRATEGY UNDERCROFT |
| 08 Jul 2016 | D020 E | PROPOSED NORTH ACCESS STAIR DETAILS |
| 08 Jul 2016 | L003 G | PROPOSED HIGHWAY PLAN |
| 08 Jul 2016 | L005 G | PROPOSED HARD SURFACE AT HIGHWAY LEVEL |

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

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

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

| | | |
|--------------------------|---|----------------------|
| Item No: | 04 | |
| Application No: | 16/01782/REG03 | |
| Site Location: | Colonnade Beneath Street, Grand Parade, City Centre, Bath | |
| Ward: Abbey | Parish: N/A | LB Grade: N/A |
| Application Type: | Regulation 3 Application | |

| | |
|----------------------|--|
| Proposal: | Change of use of vault and undercroft spaces to restaurants (A3) and/or Museum use (D1) with works to allow pedestrian access to lower Boat Stall lane and the Colonnade and to facilitate future access to Slippery Lane. Provision of stair and lift access to the undercroft/vault spaces on the public highway and associated works to the highway to facilitate the development. |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, Centres and Retailing, Conservation Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site, |
| Applicant: | Bath And North East Somerset Council Property Services |
| Expiry Date: | 29th July 2016 |
| Case Officer: | Tessa Hampden |

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 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.

3 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.

4 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.

5 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.

6 Ventilation and Extraction (Pre-commencement of use)

The use of either unit hereby permitted shall not commence until a detailed scheme for that unit ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork and filters; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be installed in accordance with the approved details prior to the commencement of the use and thereafter maintained as such.

Reason: In the interests controlling odours and protecting residential amenity in accordance with policy ES.10 of the Bath and North East Somerset Local Plan.

7 Finished floor levels (compliance)

The development hereby permitted, shall be constructed with Finished Floor Levels of the restaurants set at a minimum of 20.8m AOD and the Colonnades set at a minimum of 19.75m AOD as stated in the submitted Flood Risk Assessment (dated March 2016).

Reason: In the interests of flood resilience and to minimise the potential impact of flooding on the proposed development and future users.

8 Floor levels Boat Stall Lane(compliance)

The development hereby permitted shall be constructed with access from Boatsall Lane including the doorway into the northern vaults set a minimum level of 20.8m AOD as stated in the submitted Flood Risk Assessment (dated March 2016).

Reason: In the interests of flood risk management and to minimise the potential impact of flooding on the proposed development and future users.

9 Flood resilience measures (pre commencement)

Prior to the commencement of the development hereby permitted, full details of the proposed flood resilience measures to be incorporated within the design of the structure shall be submitted to, and approved in writing by the Local Planning Authority. Such detail shall include, inter alia, specification of the proposed glass frontage, electrics, and proposals in respect of vulnerable apparatus i.e. electric lift. The development thereafter shall be implemented in accordance with the approved details prior to occupation and the measures shall be maintained in full working order for the lifetime of development.

Reason: In the interests of flood resilience and to minimise the potential impact of flooding on the proposed development and future users.

10 Flood Warning Evacuation Plan (Pre-occupation)

No occupation of the development shall commence until a Flood Warning Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall address the matters required pursuant to section 10 of the National Planning Policy Framework and the National Planning Practice Guidance. Thereafter the approved Flood Warning Evacuation Plan shall be implemented in perpetuity.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with paragraph 17 and section 10 of the National Planning Policy Framework.

11 Tour Bus Stop (pre occupation)

Prior to the occupation of the development, a management plan for controlling the use of the 'dual use' Tour Bus stop/servicing bay shall be submitted to and approved in writing by the Local Planning Authority and shall include, but not exclusively, the following: dedicated Tour Bus times and restricted time periods available for servicing/refuse collection, means of enforcement (beyond signing) and means of communicating the restrictions in place to regular suppliers.

Reason: To ensure the safe and unobstructed operation of the highway and to ensure that Tour Bus pick-up/drop-off here is not compromised

12 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 and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

13 Archaeology - Watching Brief (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 watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

14 Archaeology - Controlled Excavation (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, 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 Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

15 Archaeology - Engineering Solution (Pre-commencement)

No development shall commence (including any site clearance or demolition works), except archaeological investigation work, until the applicant, or their agents or successors in title, has produced detailed drawings of all underground works, including foundations, drainage and those of statutory undertakers, which have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, extent and depth of all excavations and these works shall be carried out and completed in accordance with details as approved.

Reason: The site is within an area of major archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

16 Operational Statement (pre occupation)

Prior to each restaurant or museum being brought into operation, an operational statement shall be submitted to and approved in writing by the Local Planning Authority. This should include details of refuse collection and storage, hours of operation, public

access to the covered walkway of the colonnade area, use of Boat Stall Lane, cycle storage, and details of deliveries. The development shall thereafter be carried out/occupied in accordance with the approved operational statement.

Reason: To safeguard the residential amenity of the neighbouring occupiers, to ensure public access is retained to the Colonnades and to safeguard the general visual amenities of the area.

17 Lighting (bespoke trigger)

Prior to the installation of any lighting within the development a full lighting strategy detailing of all forms of lighting (including their fittings) including that to Boat Stall Lane, the Kiosks and the lighting to the undercroft and Colonnades area shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of residential amenity, visual amenity and ecology.

18 Ecology (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 LPA; details to include:

1. Detailed specifications and plans showing numbers, types, positions and heights of lamps;
2. A lux contour plan showing predicted light spill levels arising from the proposed lighting scheme, which must factor in predicted light spill from internal lighting, and showing dark zones on the river within which predicted lux levels will increase by no more than zero lux compared to existing light levels
3. details of all measures that shall be incorporated into the scheme to minimise light spill onto the river, thus minimising impacts on bats and aquatic ecology; for example, through use of warm white LED; directional lighting, baffles and screening; time switches and remote sensors; adherence to specified times of use and use of dimming regimes.

Upon approval in writing, the details shall be implemented and thereafter the development shall be operated in accordance with the approved details.

Reason: to provide a sensitive lighting scheme that avoids harm to bat activity and other wildlife

19 Surface water drainage (bespoke trigger)

A surface water drainage strategy in accordance with that outlined in the Flood Risk Assessment should be submitted to and approved by the Local Planning Authority prior to the occupation of the development hereby approved. Specifically details about the proposed drainage channels in the floor of Boatsall Lane should be supplied.

Reason: In the interests of flood risk management

20 External adverts (bespoke trigger)

Prior to the any external advertisements being put in place, a signage strategy is to be submitted to the local planning authority for approval in writing and thereafter signage shall be only installed in accordance with these approved details.

Reason; To safeguard the character and appearance of this area.

21 Highway structural works

Prior to the commencement of the development, details of the structural works to form the openings in Grand Parade shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include plans and supporting structural calculations in accordance with Section 180 of the Highways Act 1980. The applicant should be aware that this process can take in the region of 6 weeks to conclude and will incur an additional fee.

Reason: In the interest of highway safety.

22 Public access (compliance)

The public shall be allowed access to the colonnade walkway between the hours 9am and 7pm and this area shall not be closed off during this time.

Reason. To ensure that the public have the benefit of this development.

23 No deliveries or collections shall be taken at or dispatched from the site outside the hours of 07.00hrs to 19.00hrs.

Reason: In the interest of residential amenity.

24 Boat Stall Lane access (compliance)

Access for staff, deliveries and customers via Boatstall Lane shall be restricted to be permitted from 08.00hrs to 19.00hrs only.

Reason: To safeguard residential amenity

25 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls surfaces shall commence until a sample panel of all new external walling materials to be used have been erected on site and approved in writing by the Local Planning Authority. They must be 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 D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

26 Waste Strategy (Pre Occupancy)

Neither unit hereby approved shall be occupied until a Waste and Refuse Strategy for the relevant unit has been submitted to and approved in writing by the Local Planning Authority. This shall include, methods of storage prior to collection, details of how the refuse will be removed from the application site (including times), timings for refuse collection if stored on the street ready for collection, and methods to limit the noise from bottle collection. The development shall thereafter be carried out in full accordance with this waste strategy.

Reason: In the interest of residential and visual amenity

27 Lift details (Bespoke Trigger)

No works shall commence on the lift kiosk, until the elevation of this at Colonnade level have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies B6, D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

28 Drainage Strategy (Bespoke Trigger)

Prior to construction works a drainage strategy to deal with the surface water around the Empire Hotel Lightwell shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure that suitable strategy drainage is in place

29 Tree Strategy (Bespoke Trigger)

No works to the pavement to the adjacent lift shaft shall commence until a tree works strategy has been submitted to and approved in writing by the Local Planning Authority. This shall include details of proposed investigative works to assess whether the trees can be retained, and if not options for replacement planting. The development must be carried out in accordance with the approved tree strategy.

Reason: To ensure that if possible the trees can be retained if necessary to ensure replacement trees are provided in accordance with Policy NE.4 of the Bath and North East Somerset Local Plan.

30 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:

| | | |
|-------------|-------------------------|--|
| 12 Apr 2016 | 15121_D_003_B | UNDERCROFT WINDOW DETAILS |
| 12 Apr 2016 | 15121_D_004_C | VAULTS WINDOW DETAILS |
| 12 Apr 2016 | 15121_D_005_B | COLONNADE BRIDGE ABUTMENT STAIRS DETAILS |
| 12 Apr 2016 | 15121_D_006_B | DOOR TO PARADE GARDENS DETAILS |
| 12 Apr 2016 | 15121_D_007_C | COLONNADE BALUSTRADE DETAILS |
| 12 Apr 2016 | 15121_D_011_C | BOATSTALL LANE DETAIL PATH |
| 12 Apr 2016 | 15121_D_020_D | PROPOSED NORTH ACCESS STAIR DETAILS |
| 12 Apr 2016 | 15121_L_002_C | PROPOSED UNDERCROFT LEVEL |
| 12 Apr 2016 | 15121_L_004_D | SECTION THROUGH ACCESS |
| 12 Apr 2016 | 15121_L_005_E | HARD SURFACING HIGHWAY LEVEL |
| 12 Apr 2016 | 15121_L_007_D | EXISTING UNDERCROFT PLAN |
| 12 Apr 2016 | 15121_L_008_C | DEMOLITION PLAN |
| 12 Apr 2016 | 15121_L_009_C | DEMOLITION RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_010_C | DEMOLITION INTERNAL |
| 12 Apr 2016 | 15121_L_011_C | DEMOLITION 3D VIEW |
| 12 Apr 2016 | 15121_L_012_F | PROPOSED PLAN |
| 12 Apr 2016 | 15121_L_013_C | EXISTING AND PROPOSED RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_014_C | PROPOSED ELEVATION FROM PARADE GARDENS |
| 12 Apr 2016 | 15121_L_015_D | PROPOSED RIVER ELEVATION |
| 12 Apr 2016 | 15121_L_016_F | PROPOSED SCREEN ELEVATIONS |
| 12 Apr 2016 | 15121_L_017_C | PROPOSED LONG SECTIONS |
| 12 Apr 2016 | 15121_L_018_C | PROPOSED UNDERCROFT SECTION |
| 12 Apr 2016 | 15121_L_020_C | VAULTS SECTIONS |
| 12 Apr 2016 | 15121_L_021_B | PROPOSED SECTION THROUGH EASY ACCESS PLA... |
| 12 Apr 2016 | 15121_L_022_C | PROPOSED REAR WALL |
| 12 Apr 2016 | 15121_L_023_D | PROPOSED 3D VIEW |
| 12 Apr 2016 | 15121_L_024_C | BOATSTALL LANE NORTH FACING ELEVATIONS |
| 12 Apr 2016 | 15121_L_025_C | BOATSTALL LANE SOUTH FACING ELEVATION |
| 12 Apr 2016 | 15121_L_026_C | SECTION THROUGH LIFT |
| 12 Apr 2016 | 15121_L_1000_B | TOPOGRAPHICAL VAULTS LAYOUT |
| 12 Apr 2016 | 15121_L_2000_A | PUBLIC REALM EXISTING HIGHWAY |
| 12 Apr 2016 | 307GPUDM / P30 / 001 T2 | INCOMING SERVICES PRINCIPLES |
| 12 Apr 2016 | 307GPUDM / V50 / 001 T2 | LIGHTING LAYOUT UNDERCROFT |
| 12 Apr 2016 | 307GPUDM / V50 / 002 T2 | LANDORD SERVICES PRINCIPLE PLAN |
| 12 Apr 2016 | 307GPUDM / V50 / 002 T2 | LIGHTING LAYOUT STREET |
| 20 May 2016 | 15121 L028A | LIFT ELEVATIONS |
| 03 May 2016 | 307GPUDM U90 001 | REV T3 VENTILATION STRATEGY UNDERCROFT |
| 08 Jul 2016 | D020 E | PROPOSED NORTH ACCESS STAIR DETAILS |
| 08 Jul 2016 | L003 G | PROPOSED HIGHWAY PLAN |
| 08 Jul 2016 | L005 G | PROPOSED HARD SURFACE AT HIGHWAY LEVEL |
| 08 Jul 2016 | SK A | TREEPIT LOCATIONS |
| OS Extract | 12 Apr 2016 | 15121_L_001_C SITE LOCATION 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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Avon, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

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

| | |
|------------------------|--------------|
| Item No: | 05 |
| Application No: | 16/01913/FUL |

| | | | |
|--------------------------|---|------------------|-----------------|
| Site Location: | Car Park Between 2 And 4, Silver Street, Midsomer Norton, | | |
| Ward: | Midsomer Norton Redfield | Parish: | Midsomer Norton |
| | | LB Grade: | N/A |
| Application Type: | Full Application | | |
| Proposal: | Erection of 8no of two bed apartments, associated parking and landscaping. | | |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones, | | |
| Applicant: | RIG Trading Ltd | | |
| Expiry Date: | 29th July 2016 | | |
| Case Officer: | Rachel Tadman | | |

DECISION REFUSE

1 The proposed development, by reason of its design, size and layout, would have an unacceptable overbearing impact on the side windows of 2 Silver Street, Midsomer Norton facing the development, and also provide a poor quality level of outlook to the future residents of the second floor flats which are considered to have a detrimental impact on the amenity of the occupiers of 2 Silver Street and the future occupiers of the second floor flats. This is contrary to Policy D2 of the Bath & North East Somerset Local Plan, adopted October 2007.

2 The proposed development, by reason of its design, size and layout, is considered to be of a poor quality design which result in an insecure an unwelcoming environment for residents and would have a significant harmful impact on the character and appearance of the street scene, the setting of the Grade II listed Town Hall and fails to preserve or enhance the character and appearance of this part of the Midsomer Norton Conservation Area. This is contrary to Policies D2, D4, BH2 and BH6 of the Bath & North East Somerset Local Plan, adopted October 2007 and Policy CP6 of the Bath & North East Somerset Core Strategy, adopted July 2015.

PLANS LIST:

This decision relates to drawing nos 15/0823/01, 15/0823/02, 15/0823/03, 15/0823/04, 15/0823/05, 15/0823/06, 15/0823/07, 15/0823/08, 15/0823/09, 15/0823/10, 15/0823/11, 15/0823/12

Decision Making Statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The submitted application was found to be unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

| | |
|--------------------------|--|
| Item No: | 06 |
| Application No: | 16/01982/FUL |
| Site Location: | 8 Rectory Close, Farmborough, Bath, Bath And North East Somerset |
| Ward: Farmborough | Parish: Farmborough LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Erection of double garage following demolition of 2no existing. |
| Constraints: | Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order, |
| Applicant: | Mr & Mrs Brown |
| Expiry Date: | 20th June 2016 |
| Case Officer: | Rachel Tadman |

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 Highways - Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

3 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 drawing nos Proposed Plans, Existing Plans, Proposed Building Regulations.

Decision Making Statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

| | | |
|-----------------------------|--|----------------------|
| Item No: | 07 | |
| Application No: | 16/01145/FUL | |
| Site Location: | Plot Between Croft House And 1, The Croft, Monkton Combe, Bath | |
| Ward: Bathavon South | Parish: Monkton Combe | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Erection of single dwelling and car parking for 2 vehicles following demolition of existing garages | |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones, | |
| Applicant: | Monkton Combe School | |

| | |
|----------------------|----------------|
| Expiry Date: | 29th July 2016 |
| Case Officer: | Alice Barnes |

DECISION PERMIT

1 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 permissions.

2 Prior to the construction of the development written confirmation from the sewerage company (Wessex Water) accepting the surface water discharge into their network including point of connection and rate shall be submitted to the Local Planning Authority. If the sewerage company are not able to accept the proposed surface water discharge, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, should be installed prior to the occupation of the development.

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. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

3 The proposed window on the south-west elevation shall be non-opening and glazed with obscure glass and permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy.

4 The areas allocated for parking and turning on the submitted plan 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 adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

5 No development shall commence until details of the existing and proposed ground levels have 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: For the avoidance of doubt and to clarify the finished ground levels of the development to accord with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan. This is a condition precedent because the ground levels have the potential to affect the overall impact of the development. Therefore these details need to be agreed before work commences as they could not easily be amended after.

6 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:

Location plan 01
Existing site plan 02
Existing north west and east elevations 03
Existing south east and south west elevations 04
Existing site sections 05
Proposed context plan 06
Proposed site plan 07
Proposed ground floor plan 08
Proposed first floor plan 09
Proposed second floor plan 10
Proposed roof and landscape plan 11
Proposed north west and north east elevations 12 A
Proposed south east and south west elevations 13 A
Proposed site section AA 14 A
Proposed site section BB 15
Proposed site section CC 16

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.