

## **DEVELOPMENT MANAGEMENT COMMITTEE**

### **Minutes of the Meeting held**

Wednesday, 19th October, 2016, 12.00 pm

**Councillors:** Sally Davis (Chair), Rob Appleyard, Jasper Becker, Paul Crossley, Matthew Davies, Eleanor Jackson, Les Kew, Bryan Organ, Caroline Roberts and Karen Warrington (Reserve) (in place of David Veale)

#### **56 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

#### **57 ELECTION OF VICE CHAIRMAN (IF DESIRED)**

A Vice Chairman was not required on this occasion.

#### **58 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor David Veale and Karen Warrington attended in his place as a substitute.

#### **59 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **60 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was no urgent business.

#### **61 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.

#### **62 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There were no items from Councillors or Co-Opted Members.

#### **63 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 21 September 2016 were confirmed and signed as a correct record.

64 **SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered a report by the Group Manager (Development Management) on one planning application.

**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. 16/02441/FUL**

**Site Location: St Nicholas Church, Church Road, Whitchurch – Erection of disabled WC to front elevation**

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

A statement against the application from the local ward member, Councillor Paul May, was read out.

In response to a query the Case Officer explained that the timber framed structure would be fixed to the masonry of the building.

Councillor Crossley stated that he believed any harm to the building would be outweighed by the benefit the facility would bring to worshippers at the church who may be frail or elderly. He moved that planning permission be granted subject to the conditions outlined in the report. This was seconded by Councillor Jackson.

Councillor Kew felt that the materials were inappropriate for the listed building and that stone should be used rather than timber. The structure would also be detrimental to the stained glass window.

Councillor Organ was also opposed to the application as it would be situated at the main entrance to the church and would spoil the façade and view of the stained glass window.

The motion was put to the vote and there were 3 votes for, 6 votes against and 1 abstention. The motion was therefore **LOST**.

Councillor Kew then moved that the application be refused due to inappropriate materials, location and design. This was seconded by Councillor Organ.

The motion was put to the vote and it was **RESOLVED** by 6 votes for, 3 votes against and 1 abstention to **REFUSE** the application for reasons of inappropriate materials, location and design which would be harmful to the listed Church.

65 **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 items 1, 2, 3, 5, 6, 7, 8 and 11 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 delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 4* to these minutes.

#### **Item No 1**

##### **Application No. 16/02055/FUL**

**Site Location: Land East of The Mead, Queen Charlton Lane, Whitchurch – Erection of 100 1, 2, 3 and 4 bedroom dwellings including public open space, attenuation and associated works. New vehicular access from Queen Charlton Lane**

The Case Officer reported on the application and the recommendation to delegate to permit the application. The officer explained that Condition 5 relating to flood risk and drainage would be amended and that there were a number of unresolved issues which would be resolved by the Case Officer if the Committee agreed to delegate to permit planning permission.

The registered speakers spoke for and against the application

A statement from the local ward member, Councillor Paul May, was read out stating that he now found the application acceptable although still had some concerns around road safety.

In response to a question the Case Officer stated that there were no significant concerns regarding the issue raised by the Urban Designer. He confirmed that the vast majority of the hedgerow would be retained. The translocation of grassland was one of the issues to be delegated to officers to resolve but it was likely that turf would be lifted and relocated.

The Case Officer confirmed that when the Bellway Homes scheme was completed there would be a safe alternative walking route to school through that development. It was also noted that there was not a requirement for a 4 bed dwelling to have 4 parking spaces.

Councillor Kew queried whether bringing this application to committee was premature given the amount of outstanding issues. Officers explained that the outstanding issues were matters of detail and not significant. Councillor Jackson pointed out that it would be preferable for an officer to negotiate on the outstanding matters rather than having to vary conditions in the future.

Councillor Jackson moved that the Committee agree to delegate to permit planning permission subject to conditions. This was seconded by Councillor Organ.

The motion was then put to the vote and it was **RESOLVED** unanimously to delegate to **PERMIT** planning permission subject to conditions.

**Item No. 2**

**Application No: 16/02658/REM**

**Site Location: Rockery Tea Gardens, Vacant Premises, North Road, Combe Down, Bath – Removal of condition 11 on application 13/01733/FUL, allowed on appeal 15 May 2015 (Erection of a detached single storey dwelling (revised proposal))**

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

The registered speaker spoke against the application.

Local ward members Councillors Cherry Beath and Bob Goodman spoke against the application.

Councillor Appleyard stated that he believe the Committee should refuse the application. The development was allowed on appeal and the Planning Inspector had recognised the need for Smart Glass to be used. It was important to protect the bats in this location and cost of providing this glass was not a planning consideration. He then moved that planning permission be refused. This was seconded by Councillor Crossley.

Councillor Jackson queried whether the Committee could amend a Planning Inspector's decision.

The Team Manager, Development Management, confirmed that whilst in some circumstances costs are capable of being a material consideration no viability issues had been raised by the applicant in this case. What was key was the reason that the condition was originally required was in the interests of protection of ecology and there were no reasons why alternatives could not be proposed that addressed this matter. She pointed out that the alternative proposal was regarded to be satisfactory and that no objections had been received from either the ecologist or Natural England.

Councillor Crossley queried how the alternative lighting solution would be enforced. This was a prominent site and the original condition should stand.

Councillor Kew agreed that the original condition should remain because Smart Glass offered the most effective solution and means of controlling the light.

Councillor Jackson in addition added that the proposal would be harmful to the Council's dark skies policies.

On being put to the vote it was **RESOLVED** unanimously to **REFUSE** planning permission as the proposal would be harmful to ecology, was less effective than Smart Glass and would be contrary to the Council's Dark Skies Policy.

### **Item No. 3**

**Application No: 16/03069/FUL**

**Site Location: Workshop, 239A London Road East, Batheaston, Bath – Conversion and extension of existing industrial building to create a Live Work Unit**

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

The registered speakers spoke for and against the application.

Local ward member, Councillor Alison Miller, spoke against the application.

Councillor Crossley pointed out that this was an unconventional building located between two listed buildings. He then moved that planning permission be refused due to loss of amenity for the neighbouring properties, poor design, the adverse effect on the setting and being out of character for the area. This was seconded by Councillor Appleyard who also felt that the height of the proposed extension was an issue.

Councillor Jackson stated that the extension would conserve and enhance the conservation area and was an improvement on the existing building.

Councillor Kew was not familiar with the area and felt that it would be helpful to view it first. He pointed out that the site was within the housing development boundary.

Councillor Roberts stated that just because a building was not currently very attractive did not mean that it should be replaced with just anything.

The motion was put to the vote and there were 4 votes for, 5 votes against and 1 abstention. The motion was therefore **LOST**.

Councillor Kew then moved that consideration of the application be deferred for a site visit. This was seconded by Councillor Warrington.

The motion was then put to the vote and it was **RESOLVED**, by 9 votes for and 1 against to **DEFER** consideration of the application pending a site visit.

### **Item No. 4**

**Application No. 16/03043/FUL**

**Site Location: 18 Eden Park Drive, Batheaston, Bath BA1 7JJ – Erection of 2 detached dwellings with associated works**

The Case Officer reported on the application and her recommendation to grant planning permission. She informed the Committee that one further objection had been received and this was noted.

The registered speakers spoke for and against the application.

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

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. 5**

**Application No. 16/1465/FUL**

**Site Location: Land Adjacent to White Hill Cottages, White Hill, Shoscombe – Erection of attached garage and refurbishment of domestic store/workshop following demolition of existing garage (Resubmission)**

The Case Officer reported on the application and her recommendation to permit the application. She explained that she now wished to add an additional condition to ensure that fencing is constructed to prevent parking on the grass verge. She also explained that although the site was in the greenbelt it was only a marginal extension to an existing building.

The registered speaker spoke against the application.

Councillor Organ moved that planning permission be granted subject to the conditions outlined in the report and an additional condition regarding fencing as mentioned by the Case Officer. This was seconded by Councillor Kew.

The motion was then put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to conditions.

**Item No. 6**

**Application No. 16/03724/FUL**

**Site Location: Lea Meadow House, Wells Road, Hallatrow – Erection of 4 detached dwellings (Resubmission of 15/04514/FUL)**

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

The registered speakers spoke in favour of the application.

Councillor Kew spoke as local ward member in favour of the application. He pointed out that the location was a brownfield site and that new developments were taking place at the local school. This meant that spare places would soon become available. There were currently 156 pupils on roll with a planned admission number of 175 meaning that there were 19 places available in the school. Farrington Gurney School which was equidistant to the proposed development also had 16 places available. Councillor Kew felt that the development would enhance the site and the village. There had been no objections to the planning application. For these reasons he moved that planning permission be granted subject to appropriate conditions. This was seconded by Councillor Organ.

On being put to the vote it was **RESOLVED** by 8 votes for and 2 votes against to delegate to **PERMIT** the application subject to conditions.

**Item No. 7**

**Application No. 16/03724/FUL**

**Site Location: 8 Warminster Road, Bathampton, Bath, BA2 6SH – Erection of two-storey rear extension with first floor rear balcony**

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

The registered speakers spoke for and against the application.

Councillor Appleyard stated that, having heard the speakers, he wished to more fully understand the layout and impact of this proposal. He therefore 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 it was **RESOLVED** by 9 votes for and 1 abstention to **DEFER** consideration of the application pending a site visit.

**Items No 8 and 9**

**Application No's: 16/03659/FUL and 16/03660/LBA**

**Site Location: 22 Prospect Place, Walcot, Bath, BA1 5JD – Erection of single storey rear extension and internal and external alterations following demolition of existing single storey rear extension**

The Case Officer reported on the application and her recommendation to permit and to grant consent for the applications.

Councillor Crossley moved that planning permission and listed building consent be granted. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** planning permission and to **GRANT** listed building consent subject to the conditions set out in the report.

**Item No. 10**

**Application No. 16/03572/FUL**

**Site Location: High View, The Street, Compton Martin, BS40 6JQ – Installation of 2 south side dormers and erection of double garage**

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

The registered speaker spoke in favour of the application.

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

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

**Item No. 11**

**Application No. 16/03572/FUL**

**Site Location: Green Park Station, Green Park Road, Bath – Exterior alterations to attach a metal plaque**

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

The registered speaker spoke in favour of the application.

In response to a query the Case Officer confirmed that the plaque was 500mm in diameter and would be positioned at a height of 2.5m from the ground.

Councillor Jackson raised concern about locating the plaque behind railings and the health and safety implications of this.

Councillor Crossley moved that consent be granted subject to the conditions set out in the report. This was seconded by Councillor Organ.

The motion was put to the vote and it was **RESOLVED** by 9 votes for and 1 against to **GRANT** listed building consent subject to the conditions set out in the report.

**Items No. 12 and 13**

**Application No's: 16/03018/FUL and 16/03019/LBA**

**Site Location: The Firs, Main Road, Chelwood – Internal and external alterations to erect a rear garden room and first floor extension**

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

The registered speaker spoke in favour of the application.

The local ward member, Councillor Karen Warrington, spoke in favour of the application. She felt that the extension would not be detrimental to the greenbelt location and that it was not intrusive being at the rear of the property. The volume area was within the greenbelt requirement and the building next door already has an extension. She moved that planning permission be granted subject to conditions. This was seconded by Councillor Kew.

Councillor Crossley stated that the building was listed and felt that the whole of the building was important. He noted that the next door extension was permitted in the 1980s and felt that this decision should have no bearing on the consideration of this application.

Councillor Kew stated that the extension would improve living conditions and did not affect the street scene.

Councillor Jackson felt that the extension would be detrimental to the symmetry of the building.

The motion was then put to the vote and there were 5 votes for and 5 votes against. The Chairman used her casting vote against the motion which was therefore **LOST**.

Councillor Appleyard then moved that the application be refused for the reasons set out in the report. This was seconded by Councillor Jackson. The motion was put to the vote and there were 5 votes for and 5 votes against. The Chairman used her casting vote in favour of the motion. It was therefore **RESOLVED** to **REFUSE** planning permission for the reasons set out in the report.

**Item No. 14**

**Application No. 16/03715/FUL**

**Site Location: 10 Woodborough Hill Cottages, Woodborough Hill, Peasedown St John – Erection of two storey extension**

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

The registered speaker spoke in favour of the application.

The local ward member, Councillor Karen Walker, also spoke in favour of the application.

Councillor Jackson did not feel that timber cladding was a suitable material for the extension. She did not feel that the extension was of an appropriate design for a traditional terrace and believed that it would be contrary to policy D4. She stated that it was out of keeping with the area and moved that permission be refused for the reasons set out in the report. This was seconded by Councillor Organ.

The motion was put to the vote and it was **RESOLVED** by 8 votes for, 1 vote against and 1 abstention to **REFUSE** planning permission for the reasons set out in the report.

**Item No. 15**

**Application No. 16/03446/FUL**

**Site Location: Blackhorse Cottage, Pilgrims Way, Chew Stoke – Erection of single dwelling adjacent to existing property**

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

The registered speaker spoke in favour of the application.

In response to a question from Councillor Jackson as to the sustainability of the development in this location due to lack of public transport, the Team Manager, Development Management, advised that sustainable development had wider considerations beyond the sole issue of transport and confirmed that it was sustainable to allow for small scale incremental growth in villages as it supports economy and community.

Councillor Kew stated that he felt this was a good design and moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Appleyard.

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.

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

The Committee considered the appeals report and noted that there was a 100% success rate.

**RESOLVED** to **NOTE** the report.

The meeting ended at 3.40 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**Date 19<sup>th</sup> October 2016**

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

**ITEMS FOR PLANNING PERMISSION**

**ITEM**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
<b>01</b>	<b>16/02055</b>	<b>Land to the East of the Mead, Queen Charlton Lane, Whitchurch</b>

A letter of objection has been received from Savills on behalf of the adjacent land owner (Horse World) and developer (Bellway Homes). The letter raises a number of points which are summarised as follows:

- There is no formal agreement in place between the applicant and Horse World/Bellway; there can therefore be no certainty as to the deliverability of the early years provision or allotments. The committee report fails to explain how the proportionate cost of land purchase and delivery will be secured;
- It is unclear whether the proposed level of Green Infrastructure has been assessed relative to the number of dwellings proposed and therefore it is not possible to properly assess whether there are deficiencies which need to be met off-site;
- The LEAP (Local Equipped Area of Play) straddles the Barratt/Bellway site boundary. Each developer will provide sufficient space to meet the needs of their particular development but there is no agreement in place to secure this;
- There are several elements of the Barratt development which do not accord with the agreed masterplan, these are as follows:
  1. Pedestrian and vehicular access to the allotments should be from the Barratt development but this link is not shown;
  2. The estate road, where it crosses the boundary between the developments, should be narrowed to slow vehicle speeds and discourage rat-running. This is not shown;

3. The masterplan shows a north-south pedestrian route running along the western side of the central hedgerow. The Barratt proposal shows a pedestrian route on the eastern side of this hedgerow south of the access road. The proposed Bellway route running parallel to the Barratt route therefore serves no purpose.

### Officer Comments

As explained in the main report a Master Plan for the whole site allocation was submitted pursuant to policy CP5 of the Core Strategy and presented to members of the committee. It is a material consideration however the weight that the master plan should carry is ultimately a matter for the decision-taker. The master plan provides guidance as to the manner in which the allocated site as a whole could be developed; the schemes that come forward therefore should be informed by it. It is not considered necessary however for the master plan to be very strictly adhered to and it is recognised that minor deviations may be necessary as the detail of the schemes develop. In particular it is of note that the Master Plan was endorsed in principle by members but its detail was not fully agreed.

It is not necessary for a formal agreement to be in place between the two developers prior to committee as this will come later in the form of a Section 106 agreement. It is relevant that there is considered to be a reasonable prospect of delivering the outstanding matters for inclusion within that agreement. The S.106 Agreement will secure the requisite contributions towards off-site infrastructure, such as early years provision, and negotiations regarding its precise content will continue post-committee should the committee make a positive resolution. The application will not be permitted until such time that a satisfactory S.106 Agreement has been completed and in the event that matters delegated to officers cannot be resolved the application would potentially need re-presentation to committee

As noted in the committee report the level of Green Infrastructure (public open space etc.) proposed on the site is satisfactory. It is considered to meet the needs of the development's future occupants in full; there are no deficiencies needing to be met off-site. The master plan illustrates the allotments as being provided on the adjacent Bellway site. The provision of two sets of allotments, one on each site, would be highly undesirable.

It is noted in the committee report the proposed LEAP straddles the site boundary and each developer will provide that part of the LEAP within their site. It is not necessary for a formal agreement to be in place between the developers in advance of the committee considering the application. The committee report is clear that the recommendation to 'delegate to permit' is subject to, amongst other things, a S.106 Agreement securing the LEAP and its ongoing maintenance. The report also confirms that the proposed LEAP within the Barratt scheme is adequate to meet the needs of the development and can be delivered in isolation of the Bellway scheme should the Bellway scheme not come forward or be delayed.

The master plan does indeed show a pedestrian link to the allotments from the Barratt site but this is not shown on the submitted Barratt layout plan. The master plan is ambiguous in respect of a vehicular access. It is agreed that a pedestrian link is necessary and as such it is recommended that resolution of this matter is delegated to officers in addition to those matters listed in the report. A vehicular link and associated car park is undesirable as it is expected that users of the allotments will be within easy walking distance.

The master plan shows a traffic calming measure in the form of a narrowing of the road on the boundary of the two sites. This is not shown on the submitted layout plan and as such it is also recommended that resolution of this matter is delegated to officers as above. Finally, it is recognised that one of the pedestrian routes proposed by Barratt would render a proposed Bellway route on the other side of the hedge superfluous. Bellway could therefore consider removing the route from their scheme; this issue has no direct implications for the current application.

### Other Updates

Members will note that one of the matters listed in the report as being delegated to officers is details relating to the turning of refuse vehicles and the location of bin collection points. A package of information has been submitted and the further comments of the waste team are awaited.

### **Revised Recommendation**

Delegate to PERMIT subject to the receipt of:

A) Further acceptable information including:

- Details relating to existing and replacement hedgerow planting, fencing, lighting, species rich grassland and soft landscaping scheme;
- Details relating to the turning of refuse vehicles and location of bin collection points;
- Provision of a pedestrian link to the allotments (to the site boundary)
- Resolution of issues raised in relation to the narrowing of the road on the site boundary

B) A S.106 Agreement - Authorise the Group Manager – Development Management, in consultation with the Planning and Environmental Law Manager, to enter into a Section 106 Agreement to provide those matters which are set out in the committee report.

And subject to the conditions set out in the committee report.

**02            16/02658/REM            Rockery Tea Gardens, North Road Combe Down, Bath**

Description of Development:

Members should note that within the second from last paragraph it is stated that Condition 11 was discharged on 17 November 2016. This should read 17 November 2016.

There is no change to the recommendation.

**03            16/03069/FUL            239A London Road East, Batheaston**

Members are advised that there is a typo within the case officers report in the section regarding amenity. Number 241 has been referred to as number 240. The paragraph is corrected to state the following;

The building is set between the properties of numbers 237 and 241. The increased height of the building will be visible to both properties. The building is located adjacent to the garage of number 241. Whilst it will be visible to number 241 and increase in height of 1.9 -1.3 m is not considered to appear overbearing to the occupiers of the property.

Representations

Two further representations have been received making additional comments detailed below.

The proposed changes do not change the overall impact of the building. They do not overcome the original reasons for objecting.

Whilst the existing property is an eyesore it does not cause a loss of light to neighbouring properties.

The amount of glass frontage has been reduced but it is still more in keeping with the ugly boxes on Bannerdown Road rather than the neighbouring properties.

The ground floor will be below ground level which will affect the structural integrity of neighbouring properties.

The committee should visit the site before making a decision

Recommendation

As in the main report

**05            16/01465/FUL            Land adjacent to White Hill Cottages White Hill Shoscombe**

Additional condition in respect of details of the proposed render- condition 7 to read

7 {b Materials - Sample of Render (Bespoke Trigger)}

No external walls of the development shall be rendered until a sample of the colour and texture of the render to be used 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 materials.

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.

**06                    16/03724/FUL                    Lea Meadow House Wells Road Hallatrow  
Bristol BS39 6EN**

Members are advised that comments have been received from the Councils Conservation Officer and Ecologist. The comments are as follows.

The application site surrounds Lea Meadow House which is Grade II listed and consideration must be given to preserving the setting of this listed building.

The proposal is to build four large houses adjacent to and to the rear of the listed building.

The applicants have not provided a full elevations demonstrating how all of the houses will be viewed in context of the listed building. Without this elevation a full analysis of the scheme cannot be completed.

Plots 3 and 4 are set away from the main house; however, the elevation from the road side has several architectural features which do not relate to the context of local design. The windows have decorated surrounds and a gable end which is considered out of keeping. The design could be simplified to limit the impact of these properties on the setting of the listed building.

Plots 1 and 2 are considered exceptionally large and the design is not considered to relate to that seen in Hallatrow or the surrounding vernacular. Whilst there is one arts and crafts house nearby; I do not consider this a justification for the scale and design shown. The design includes substantial roofscapes which are out of keeping. The roof designs of the garages are also not considered acceptable. The houses include features such as external chimney stacks and window/door surrounds which are at odds. The scale of these houses could be substantially reduced to limit the harm to the listed building. All elevations showing the listed building in context fail to show all four houses in one drawing. As such the overall impact could cause significant harm.

The NPPF advises that where an application would cause harm to a designated heritage asset the proposal should be refused. The onus is on the applicant to demonstrate sufficient material considerations to justify the harm and this should include demonstrating that alternative options have been considered. The NPPF also advises that heritage assets are irreplaceable and great weight should be given to the asset's conservation. In this application it has not been demonstrated that the development would not cause harm to the setting of the listed building and the application should be refused.

In summary within this application it has not been demonstrated that the development would not cause harm to the setting of the listed building and the application should be refused.

These comments are reflected in the committee report.

## ECOLOGY

The councils ecologist refers to previous comments made in respect of application 15.04514/FUL.

These previous comments are referenced in the officer assessment.

**07            16/00792/FUL            8 Warminster Road, Bathampton, Bath,  
Bath and North East Somerset, BA2 6SH**

Members are advised that further comments have been received from Bathampton Parish Council:

Bathampton Parish Council ask that you give consideration to paying a site visit to No. 8 Warminster Road prior to the decision being made in Committee. Only then will the Committee be able to appreciate the effect that this development will have on the neighbouring properties of No. 7 & No. 9.

There is no change to the recommendation.

**08            16/03659/FUL            22, Prospect Place, Walcot, Bath**

Members are advised that there is a missing section from the report;

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 Framework.

**11            16/04104/LBA            Green Park Station, Green Park Road,  
Bath, BA1 1JB**

Members are advised that further comments have been received from Bath Preservation Trust:

The Trust wishes to clarify that our objection was informed by the information held in the current planning application which did not detail that the plaque was to replace the recently permitted internal plaque. We were not privy to the discussions and negotiations regarding location of the plaque prior to the submission of this application and neither were these summarised in the

planning application. (Whilst background information was given in the Bath Heritage Watchdog support comment, this was uploaded to the planning portal after the Trust comment had been finalised).

The Trust has an 'in-principle objection' to wall plaques as, as we have detailed in our objection, we are concerned by their cumulative harm in adding clutter to building elevations, usually important Georgian facades. In this case we are happy to concede that our position was misinformed by the lack of detail in the planning application and the lack of prior consultation and that There is no change to the recommendation.

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# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MEMBERS OF THE PUBLIC AND REPRESENTATIVES MAKING A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 19 OCTOBER 2016**

<b>A. MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>SPEAKER</b>	<b>FOR/AGAINST</b>
1	Land East of The Mead, Queen Charlton Lane, Whitchurch	Councillor Christopher Willows (Compton Dando Parish Council)	N/A
		Mary Walsh (Whitchurch Action Group)	Against
		Daniel Weaver (Agent)	For
2	Rockery Tea Gardens, Combe Down, Bath	Kathryn Harris	Against
		Councillor Cherry Beath Councillor Bob Goodman	N/A
3	Workshop, 239A London Road East, Batheaston	Paul Bowden (speaking on behalf of neighbour)	Against
		Suzie Fitzgerald	Against
		Christopher Dance (Agent)	For
		Councillor Alison Miller	N/A
4	18 Eden Park Drive, Batheaston	Tim Davies	Against
		Colin Pemble (Agent)	For
5	Land Adj to White Hill Cottages, Shoscombe	Cllr Andrew Wilding (Shoscombe Parish Council)	N/A
6	Lea Meadow House, Hallatrow	Chris Beaver (Agent)	For
		Steven Tynan	For

7	8 Warminster Road, Bath	Cllr George Ardrey (Bathampton Parish Council)	N/A
		Phillip and Sarah Tovey	Against
		Tony Phillips	For
10	High View, Compton Martin	Lisa Nelson	For
11	Green Park Station, Bath	Patrick Hutton (Bath Heritage Watchdog)	For
12	The Firs, Main Road, Chelwood	Neville Wright (Applicant)	For
13	The Firs, Main Road, Chelwood	Neville Wright (Applicant)	For
14	10 Woodborough Hill Cottages, Peasedown St John	Colin Camm and George Battrum (Architects)	For
		Cllr Karen Walker	N/A
15	Blackhorse Cottage, Chew Stoke	Dr Colin Bloch (Agent)	For

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**19th October 2016**

**SITE VISIT DECISIONS**

<b>Item No:</b>	001		
<b>Application No:</b>	16/02441/FUL		
<b>Site Location:</b>	St Nicholas Church, Church Road, Whitchurch, Bristol		
<b>Ward:</b>	Publow And Whitchurch	<b>Parish:</b>	Whitchurch
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of disabled WC to front elevation.		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Local Shops, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	PCC of St Nicholas Church Care of Mrs A Sealy		
<b>Expiry Date:</b>	14th July 2016		
<b>Case Officer:</b>	Adrian Neilson		

**DECISION REFUSE**

1 The proposed alterations to the protected building involving the construction of a single storey timber WC to be located on the north and primary elevation are regarded as harmful and fail to preserve its architectural interest and character. Therefore it is inconsistent and in contravention of the aims and requirements of Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 'Conserving and enhancing the historic environment' of the National Planning Policy Framework and local policy: BH.2 - Listed buildings and their settings and BH.6 - Development within or affecting conservation areas.

**PLANS LIST:**

0304.P.003, 0304.P.04, 0304.P.07, 0304.P.08, 0304.P.09, 0304.P.10, 0304.P.11, 0304.S.001 and Design, Access and Heritage Statement date stamped 17 May 2016.

**DECISION TAKING 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 Framework. For the reasons given the proposals as submitted for alterations to the protected building were not regarded as acceptable and therefore the planning application was refused.

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**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**19th October 2016**

**DECISIONS**

<b>Item No:</b>	01		
<b>Application No:</b>	16/02055/FUL		
<b>Site Location:</b>	Land East Of The Mead, Queen Charlton Lane, Whitchurch, Bristol		
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 100 no. 1, 2, 3 and 4 bedroom dwellings including public open space, attenuation and associated works. New vehicular access from Queen Charlton Lane.		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Safeguarded Land, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Barratt Homes (Bristol)		
<b>Expiry Date:</b>	30th November 2016		
<b>Case Officer:</b>	Rachel Tadman		

**Delegate to permit subject to further negotiations on a number of issues as per the update report and with additional matters relating to allotments and then subject to the entering of a Section 106 and conditions.**

<b>Item No:</b>	02		
<b>Application No:</b>	16/02658/REM		
<b>Site Location:</b>	Rockery Tea Gardens Vacant Premises, North Road, Combe Down, Bath		
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Removal of conditions		
<b>Proposal:</b>	Removal of condition 11 on application 13/01733/FUL, allowed on appeal 15th May 2015,(Erection of a detached single storey dwelling (revised proposal).		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, Mineral Construction Area, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Freemantle Capital (Gainsborough) Ltd		
<b>Expiry Date:</b>	24th October 2016		
<b>Case Officer:</b>	Rachel Tadman		

## **DECISION REFUSE**

1 The proposed lighting strategy and fencing will result in increased lightspill to the surrounding dark site and would be less effective than the permitted smart glass and does not therefore provide a suitable alternative. The proposed development will consequently result in harm to the surrounding bat population and result in light pollution to the surrounding area. The development is therefore contrary to policies NE10, NE.11 and ES.9 of the saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007

### **PLANS LIST:**

This decision relates to drawing nos

2233/2005 Rev B (Location Plan), 2323/2002a1 Rev A (Proposed Site Plan), 2323/2002a2 Rev B (Proposed Site Plan), 2467/2003 Rev A (Plot 3: Plans and Elevations), 2467/2004 (Section A-A), 2467/2008 (Section B-B), L331 SK2 Rev B (Tree Survey/Constraints Plan), L331 SK3 (Arboricultural Implications Plan), 1076-10 Rev A (Landscape Masterplan) and 1098-02 Rev A (Off Site Planting).

2233/2001 Rev E (Proposed Site Plan), 2233/2500 (Plot 3 sections), 0435-DFL-1300-1307 (Isolux Contours), 0435-DFL-TR-001-A Lighting Report,

### **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 Policy Planning Framework. The proposal was considered unacceptable by the councils development management committee and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

There are two agreements under Section 106 of the Town and Country Planning Act 1990 that affect this site and planning permission. The first S106 legal agreement is attached to planning permission 08/03370/FUL and the second is attached to planning permission 13/01733/FUL.

<b>Item No:</b>	03	
<b>Application No:</b>	16/03069/FUL	
<b>Site Location:</b>	Workshop, 239A London Road East, Batheaston, Bath	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Batheaston	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Conversion and extension of existing industrial building to create a Live Work Unit.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Robert Marcuson	
<b>Expiry Date:</b>	23rd September 2016	
<b>Case Officer:</b>	Alice Barnes	

**Defer for site visit – to allow Members to view the site**

<b>Item No:</b>	04		
<b>Application No:</b>	16/03043/FUL		
<b>Site Location:</b>	18 Eden Park Drive, Batheaston, Bath, Bath And North East Somerset		
<b>Ward:</b> Bathavon North	<b>Parish:</b> Batheaston	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 2no.detached dwellings with detached garages, access and associated works		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr And Mrs D Crook		
<b>Expiry Date:</b>	21st October 2016		
<b>Case Officer:</b>	Alice Barnes		

## **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 Existing and Proposed Levels (Pre-commencement)**

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.

### **3 Parking (Compliance)**

The area allocated for parking 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 sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

#### 4 Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

#### 5 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:

Site plan and section 16697/A  
Proposed elevation 16689/D  
Proposed elevation 16690/C

#### Informative

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a Licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

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 revised proposals was taken and consent was granted.

<b>Item No:</b>	05		
<b>Application No:</b>	16/01465/FUL		
<b>Site Location:</b>	Land Adjacent To White Hill Cottages, White Hill, Shoscombe, Bath		
<b>Ward:</b> Bathavon South	<b>Parish:</b> Shoscombe	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of attached garage and refurbishment of domestic store/workshop following demolition of existing garage (Resubmission).		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mrs Carolyn Burnell, Jane Ettle & Anne Rogers		
<b>Expiry Date:</b>	21st October 2016		
<b>Case Officer:</b>	Christine Moorfield		

## **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 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.

### **3 Domestic use only (Compliance)**

The garage extension hereby approved shall be retained for the garaging of private motor vehicles and ancillary domestic storage only and for no other purpose without the prior written permission of the Local Planning Authority.

Reason Any commercial use of this building may generate additional traffic thereby being contrary to and the interests of highways safety and saved Policy T.24 as well as harmful to the residential amenity of neighbours being contrary to saved Policies D2 and D4 of the Bath and North East Somerset Local Plan.

### **4 Ecology works in accordance with report.(Compliance)**

The development hereby permitted shall be carried out only in accordance with the measures described in the Discussion and Conclusions section of the approved report entitled Building Inspection For Bats by Stark Ecology Ltd dated February 2016.

Reason: to avoid harm to bats and nesting birds.

### **5 Turning space (Prior to first commencement of use)**

The development hereby approved shall not be brought into use until a properly bound and compacted turning space for vehicles has been constructed within the site in accordance with details which shall have been submitted to and approved by the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times.

Reason To ensure that vehicles can leave and enter the site in forward gear in the interests of highways safety and in accordance with saved Policy T.24 of the Bath and North East Somerset Local Plan.

### **6 Removal of Permitted Development Rights - Vehicle Visibility Splay (Compliance)**

Notwithstanding the provisions of the Town and Country Planning General Development Order 2015 (or any order revoking and re-enacting that Order) no additional buildings, structures or erection of any kind (including walls, fences, and drainage works) shall be constructed adjacent or within 3m of the boundary of the site adjacent to Whites Hill. This restriction is not to apply to the new fence required in compliance with condition 7.

Reason: To ensure visibility is maintained in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

## **7 Erection of boundary fence/rail (Bespoke Trigger)**

Prior to the garage hereby permitted first being brought into use details of a post and rail fence or a knee rail in the location as shown on the approved plans to the south west of the new development located perpendicular to the front of the garage building adjacent to the access shall be submitted to and approved by the local planning authority. Thereafter the fence shall be constructed and retained in accordance with the approved details.

Reason In the interests of visual and residential amenity ensuring that the adjacent land is not used for the parking of vehicles

### **PLANS LIST:**

Site Location plan 001, 002, 003, and 004.

### **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.

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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.

Item No:	06		
Application No:	16/03724/FUL		
Site Location:	Lea Meadow House, Wells Road, Hallatrow, Bristol		
Ward: High Littleton	Parish: High Littleton	LB Grade: II	
Application Type:	Full Application		
Proposal:	Erection of 4 No. detached dwellings (Resubmission of 15/04514/FUL)		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Ken Biggs Contractors Ltd		
Expiry Date:	21st October 2016		
Case Officer:	Christine Moorfield		

## **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 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.

### **3 Drainage details (Pre commencement)**

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and 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.

#### **4 Materials - Sample of Render (Bespoke Trigger)**

No external walls of the development shall be rendered until a sample of the colour and texture of the render to be used 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 materials.

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.

#### **5 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 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.

#### **6 Tree protection (Pre commencement)**

No development shall take place until an annotated tree protection plan identifying measures (fencing and/or ground protection measures ) to protect the tree to be retained has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes ), during construction and landscaping operations. The plan should include the design of fencing proposed also take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with policy NE.4 of the Bath and North East Somerset Local Plan. 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.

#### **7 Domestic use of garages (Compliance)**

The garages hereby approved shall be retained for the garaging of private motor vehicles associated with the dwellings 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.

### **8 Retention of parking turning areas (Compliance)**

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 sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **9 Access and turning surface (Compliance)**

The access, parking and turning areas shall be properly bound and compacted (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **10 Provision of footpath and carriageway (Bespoke Trigger)**

Each dwelling shall not be occupied until it is served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and the existing adopted highway.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **11 Welcome Pack (Bespoke Trigger)**

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted to and approved in writing by the Local Planning Authority and shall include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., to encourage residents to try public transport.

Reason: To encourage the use of public transport in the interests of sustainable development in accordance with Policy T.1 of the Bath and North East Somerset Local Plan

### **PLANS LIST:**

PS E05,  
PH 2E 01, 02, 03,  
PS 2 SL 01,  
PH2 LS 01,  
PH2 P01, 02, 03,  
PH2 SL 02,  
PH2 SS 02,  
PH2 SS 03,

PH2 SS 101,  
PS2 E04

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.

<b>Item No:</b>	07
<b>Application No:</b>	16/00792/FUL
<b>Site Location:</b>	8 Warminster Road, Bathampton, Bath, Bath And North East Somerset
<b>Ward:</b>	Bathavon North
<b>Parish:</b>	Bathampton
<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of two-storey rear extension with first floor rear balcony
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, British Waterways Major and EIA, British Waterways Minor and Householders, Forest of Avon, Greenbelt, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr J Paddy
<b>Expiry Date:</b>	21st October 2016
<b>Case Officer:</b>	Nikki Honan

**Defer for site visit – to allow Members to view the site**

<b>Item No:</b>	08
<b>Application No:</b>	16/03659/FUL
<b>Site Location:</b>	22 Prospect Place, Walcot, Bath, Bath And North East Somerset
<b>Ward:</b>	Walcot
<b>Parish:</b>	N/A
<b>LB Grade:</b>	II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of single storey rear extension and internal and external alterations following demolition of existing single storey rear extension.
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Ms Rosalind Skinner
<b>Expiry Date:</b>	20th September 2016
<b>Case Officer:</b>	Caroline Power

## **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 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.

### **3 Roofing Materials (Bespoke Trigger)**

No construction of the roof of the development shall commence until a sample 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 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 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	19 Jul 2016	5783-16-10	PROPOSED BATH STONE FIREPLACE	Public
Drawing	19 Jul 2016	5783-16-11	PROPOSED STAIR SECTION	
Drawing	19 Jul 2016	5783-16-12	PROPOSED STAIR ELEVATION	
Drawing	19 Jul 2016	5783-16-13	PROPOSED DOOR DETAILS	
Drawing	19 Jul 2016	5783-16-2	EXISTING GROUND FLOOR PLAN	
Drawing	19 Jul 2016	5783-16-3	EXISTING FIRST FLOOR PLAN	
Drawing	19 Jul 2016	5783-16-4	EXISTING FRONT & REAR ELEVATION	
Drawing	19 Jul 2016	5783-16-5	EXISTING ROOF PLAN & SIDE ELEVATION	
Drawing	19 Jul 2016	5783-16-6	PROPOSED GROUND FLOOR PLAN	
Drawing	19 Jul 2016	5783-16-7	PROPOSED FIRST FLOOR PLAN	
Drawing	19 Jul 2016	5783-16-8	PROPOSED FRONT & REAR ELEVATION	

Drawing 19 Jul 2016 5783-16-9 PROPOSED ROOF PLAN & SIDE ELEVATION  
Revised Drawing 30 Aug 2016 5545-16-3A AMENDED Existing 1st Floor.  
Revised Drawing 30 Aug 2016 5545-16-14. Cupboard Cornice Details  
OS Extract 19 Jul 2016 5783-16-1 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	09
<b>Application No:</b>	16/03660/LBA
<b>Site Location:</b>	22 Prospect Place, Walcot, Bath, Bath And North East Somerset
<b>Ward:</b> Walcot	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal and external alterations to include erection of single storey rear extension following demolition of existing single storey rear extension.

<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Ms Rosalind Skinner
<b>Expiry Date:</b>	14th September 2016
<b>Case Officer:</b>	Caroline Power

## 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 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 BH.2 of the Bath and North East Somerset Local Plan.

### 3 Roofing Materials (Bespoke Trigger)

No construction of the roof of the development shall commence until a sample 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 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 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	19 Jul 2016	5783-16-10	PROPOSED BATH STONE FIREPLACE	Public
Drawing	19 Jul 2016	5783-16-11	PROPOSED STAIR SECTION	

Drawing	19 Jul 2016	5783-16-12	PROPOSED STAIR ELEVATION
Drawing	19 Jul 2016	5783-16-13	PROPOSED DOOR DETAILS
Drawing	19 Jul 2016	5783-16-2	EXISTING GROUND FLOOR PLAN
Drawing	19 Jul 2016	5783-16-3	EXISTING FIRST FLOOR PLAN
Drawing	19 Jul 2016	5783-16-4	EXISTING FRONT & REAR ELEVATION
Drawing	19 Jul 2016	5783-16-5	EXISTING ROOF PLAN & SIDE ELEVATION
Drawing	19 Jul 2016	5783-16-6	PROPOSED GROUND FLOOR PLAN
Drawing	19 Jul 2016	5783-16-7	PROPOSED FIRST FLOOR PLAN
Drawing	19 Jul 2016	5783-16-8	PROPOSED FRONT & REAR ELEVATION
Drawing	19 Jul 2016	5783-16-9	PROPOSED ROOF PLAN & SIDE ELEVATION
Revised Drawing	30 Aug 2016	5545-16-3A	AMENDED Existing 1st Floor.
Revised Drawing	30 Aug 2016	5545-16-14.	Cupboard Cornice Details
OS Extract	19 Jul 2016	5783-16-1	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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	10		
<b>Application No:</b>	16/03572/FUL		
<b>Site Location:</b>	High View, The Street, Compton Martin, Bristol		
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Compton Martin	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Installation of 2no south side dormers and erection of double garage		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Conservation Area, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas,		
<b>Applicant:</b>	Mr John Shallcross		
<b>Expiry Date:</b>	13th September 2016		
<b>Case Officer:</b>	Jessica Robinson		

## **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 The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the site 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 the Site Plan, Proposed Elevations, Garage Plan and Site Location Plan.

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.

<b>Item No:</b>	11	
<b>Application No:</b>	16/04104/LBA	
<b>Site Location:</b>	Green Park Station, Green Park Road, City Centre, Bath	
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Exterior alterations to attach a metal plaque	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Article 4, Article 4, Bath Enterprise Area, British Waterways Major and EIA, Conservation Area, Contaminated Land, Flood Zone 2, Forest of Avon, Sites with Planning Permission, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Sustainable Transport, World Heritage Site,	
<b>Applicant:</b>	Councillor Neil Butters	
<b>Expiry Date:</b>	14th October 2016	
<b>Case Officer:</b>	Laura Batham	

## 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 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 documents:

Site location plan received on 16th August 2016

Draft layout of transport trust plaque scheme received on 16th August 2016

Proposed illustration received on 27th August 2016

Red wheel heritage plaque - a guide for site holders received on 19th August 2016

## 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	12	
<b>Application No:</b>	16/03018/FUL	
<b>Site Location:</b>	The Firs, Main Road, Chelwood, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Chelwood	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of rear garden room and first floor extension	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Listed Building, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr & Mrs N Wright	
<b>Expiry Date:</b>	9th August 2016	
<b>Case Officer:</b>	Laura Batham	

**DECISION** REFUSE

1 The proposed single storey rear extension, by reason of the overall excessive size, massing and design, represents an inappropriate addition which would cause less than substantial harm to the character of the listed building. The level of harm has not been outweighed by any public benefits and therefore the proposal is contrary to Policies BH.2 and D4 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted October 2007 and Paragraph 134 of the National Planning Policy Framework.

## **PLANS LIST:**

This decision relates to the following documents received on 14th June 2016:

Gutter and pipes detail

Location and site plan

16.210/12

16.210/13

16.210/14

16.210/15

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was 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. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

<b>Item No:</b>	13	
<b>Application No:</b>	16/03019/LBA	
<b>Site Location:</b>	The Firs, Main Road, Chelwood, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Chelwood	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Internal and external alterations to erect a rear garden room and first floor extension	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Listed Building, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr & Mrs N Wright	
<b>Expiry Date:</b>	9th August 2016	
<b>Case Officer:</b>	Laura Batham	

**DECISION** REFUSE

1 The proposed single storey rear extension, by reason of the overall excessive size, massing and design, represents an inappropriate addition which would cause less than substantial harm to the character of the listed building and this harm is not outweighed by any public benefits. As the level of harm has not been outweighed by any public benefits the proposal is contrary to Policy BH.2 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted October 2007 and Paragraph 134 of the National Planning Policy Framework.

## PLANS LIST:

This decision relates to the following documents received on 14th June 2016:

Gutter and pipes detail

Location and site plan

16.210/12

16.210/13

16.210/14

16.210/15

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was 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. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

<b>Item No:</b>	14		
<b>Application No:</b>	16/03715/FUL		
<b>Site Location:</b>	10 Woodborough Hill Cottages, Woodborough Hill, Peasedown St. John, Bath		
<b>Ward:</b>	Peasedown St John	<b>Parish:</b>	Peasedown St John
<b>Grade:</b>	N/A	<b>LB</b>	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of two storey extension		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Forest of Avon, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr Colin Camm		
<b>Expiry Date:</b>	19th September 2016		
<b>Case Officer:</b>	Chloe Buckingham		

**DECISION** REFUSE

1 The proposed development would have demonstrable harm to the visual amenity of the locality and to the appearance of this block of terraced dwellings. As a result the proposal would detract from the character and appearance of this part of the Conservation Area and is contrary to saved Policies D2, D4 and BH6 of the Bath and North East Somerset Council Local Plan (2007).

2 The proposal does not conserve or enhance the character and local distinctiveness of the landscape and will adversely affect the contribution that the hillside makes to the character and landscape setting of Norton-Radstock. Therefore, the proposal is also contrary to Policies NE1 and NE3 of the Bath and North East Somerset Local Plan (2007) and the provisions of the National Planning Policy Framework (2012).

#### **PLANS LIST:**

This decision relates to the Existing Site Plan (2311-S001), Existing Plans and Elevations (2311-S002), Location Plan (2311-S003), Block Plan (2311-S004), Proposed Site Plan (2311-P001), Proposed Ground Floor Plans (2311-P002), Proposed First Floor Plan (2311-P003), Proposed Elevations (2311-P004 and 2311-P005), Proposed Roof Plan (2311-P006), Pit Prop House Extension (2311-P007) received by the Council on 25th July 2016.

#### **DECISION TAKING 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 Framework. The applicant was advised that the application was to be recommended for refusal. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

<b>Item No:</b>	15		
<b>Application No:</b>	16/03446/FUL		
<b>Site Location:</b>	Blackhorse Cottage, Pilgrims Way, Chew Stoke, Bristol		
<b>Ward:</b> Chew Valley North	<b>Parish:</b> Chew Stoke	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single dwelling adjacent to existing property		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr & Mrs T Jackson		
<b>Expiry Date:</b>	20th October 2016		
<b>Case Officer:</b>	Kate Whitfield		

**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 Flood Risk and Drainage - Infiltration Testing (Pre-commencement)**

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and 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 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, has been submitted to and approved in writing by the Local Planning Authority. This schedule should include details of the materials for the new section of stone boundary wall at the front of the site and the surfacing materials for the driveway and parking area. 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 Conservation Area in accordance with Policies D.2, D.4 and BH.6 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

### **4 Highways - Bound/Compacted Vehicle Access (Pre-occupation)**

No occupation of the development shall commence until the vehicular access and the parking and turning area, shown on drawing number 2137-18/A has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **5 Highways - Parking Areas (Compliance)**

The areas allocated for parking and turning on the approved plan reference 2137-18/A shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

#### **6 Obscure Glazing and Non-opening Window(s) (Compliance)**

The proposed first floor windows on the eastern and western side elevations shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the residential amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D.2 of the Bath and North East Somerset Local Plan

#### **7 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 dated as received  
Location Plan, drawing number 2137-17, dated 8 July 2016  
Floor Plans, drawing number 2137-20, dated 8 July 2016  
East and North Elevations, drawing number 2137-21, dated 8 July 2016  
South and West Elevations, drawing number 2137-22, dated 8 July 2016  
Site Plan and Roof Plan, drawing number 2137-18/A, dated 19 September 2016

#### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a Licence under Section 184 of the Highways Act 1980 for the construction of the extension to the vehicular crossing. The details of the access shall be approved and constructed in accordance with the current Specification.

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.