

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 8th March, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Tim Ball (in place of Caroline Roberts), Jasper Becker, Paul Crossley, Eleanor Jackson, Les Kew, Bryan Organ, Brian Simmons (in place of Matthew Davies) and David Veale

113 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

114 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

115 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Councillor Matthew Davies – substitute Councillor Brian Simmons
Councillor Caroline Roberts – substitute Councillor Tim Ball

116 DECLARATIONS OF INTEREST

There were no declarations of interest.

117 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

118 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.

119 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

120 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 8 February 2017 were confirmed and signed as a correct record.

121 **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 various planning applications.
- An update report by the Group Manager (Development Management) on item no's 1, 3 and 4 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives on items 2, 3 and 4. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

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

Item No. 1

Application No. 16/05094/FUL

Site Location: Beechen Cliff School, Kipling Avenue, Bath, BA2 4RE – Extend bank southwards using existing on site spoil heap to create wider playing field

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

Councillor Becker, local ward member, stated that the main issue was the impact on the residents of 71 Greenway Lane. He asked how close the playing fields would be to this property. The Case Officer confirmed that the playing field would be approximately 8m from the boundary (at its base) at the nearest point and that the current distance was approximately 15m. Councillor Becker then asked whether it would affect the use of the playing field if it was not extended in the corner of the plot. The Case Officer explained that a run-off area for the pitch was required.

Councillor Jackson asked whether anything could be done to mitigate any additional noise and to prevent rugby balls coming over onto the property. The Case Officer explained that the proposal was unlikely to greatly increase the risk of this happening or to generate a significant level of additional noise. The issue for the school was that the playing field did not currently meet the required standard.

Councillor Kew stated that whilst he understood the concerns of residents no boundaries were being moved and the impact would be minimal. He moved that planning permission be granted subject to conditions. Councillor Appleyard seconded the motion and welcomed the development of the school as he felt, on balance, that the proposal was reasonable.

Councillor Jackson stated that she did not believe the proposal was contrary to planning law or policies.

The motion was put to the vote and it was **RESOLVED** by 8 votes in favour and 2 votes against to **PERMIT** the application subject to the conditions set out in the

report.

Item No. 2

Application No. 16/04499/FUL

Site Location: 17 Station Road, Welton, Midsomer Norton, BA2 2AZ – Erection of 6 new dwellings following demolition of existing dwelling and outbuildings (resubmission) – revised plan

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

The registered speaker spoke against the application.

Councillor Michael Evans, local ward member, spoke against the application.

Councillor Jackson felt that the Committee should not ignore the views of the Town Council and local member. She stated that the conservation policy statement for Midsomer Norton had been in place since 2004 and that this proposal would not enhance the conservation area. She felt that the existing dwelling could be preserved and developed as part of the heritage of the area. She also pointed out that the site was not sustainable as it was some distance from local bus services which did not run very frequently. Councillor Jackson then moved that permission be refused due to the impact on the conservation area, overdevelopment of the site, loss of a heritage building and unsustainability of the site. Councillor Crossley seconded the motion.

The Group Manager, Development Management, clarified the history of the site and explained that a previous application for 8 dwellings had been refused and dismissed on appeal due to overdevelopment of the site. The planning inspector had not mentioned the sustainability of the site or the loss of the existing dwelling as a reason for dismissal and circumstances had not changed since then.

Councillor Appleyard stated that the High Street was accessible from the site and questioned whether the existing dwelling was really valuable and significant. He felt that on balance this development would better utilise the area of the site.

The motion was then put to the vote and there were 2 votes for and 8 against. The motion was therefore **LOST**.

Councillor Kew supported the provision of additional housing and moved that planning permission be granted subject to conditions. This was seconded by Councillor Organ who felt that the site was suitable for development.

The motion was then put to the vote and it was **RESOLVED** by 6 votes for, 2 votes against and 2 abstentions to **PERMIT** the application subject to the conditions outlined in the report.

Item No. 3

Application No. 16/05508/FUL

Site Location: 18 Upper Camden Place, Walcot, Bath, BA1 5HX – Installation of proposed mansard roof and associated dormer windows to front and rear elevations

Item No. 4

Application No. 16/05509/LBA

Site Location: 18 Upper Camden Place, Walcot, Bath, BA1 5HX – Internal and external alterations to install mansard roof and associated dormer windows to front and rear elevations

The Case Officer reported on the application and her recommendation to refuse planning permission and listed building consent. It was noted that the application had been amended since the last meeting to allow the internal staircase and banister to remain unaltered. No ecology impact had been identified.

The registered speakers spoke in favour of the application.

In response to a question the Case Officer confirmed that the chimney stack would be lost if permission were granted.

Councillor Jackson moved that planning permission and listed building consent be refused due to the adverse impact on the conservation area and listed building as set out in the officer report. Councillor Organ seconded the motion pointing out that the only other raised roof in this location was some distance away. He felt that the proposal was out of context for a world heritage city setting.

Councillor Crossley supported the motion and stated that the previous permissions granted in 1988 and 1993 were a considerable time ago and that impact and consideration had changed since then. The harm to the roofscape was not outweighed by the additional room space for the applicant.

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

- By 9 votes for and 1 abstention to **REFUSE** the application for planning permission for the reasons set out in the report.
- Unanimously to **REFUSE** listed building consent for the reasons set out in the report.

122 **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) 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. 16/05348/REG03

Site Location: Bath Quays Bridge, Green Park Road, Bath – Demolition of existing building (Boiler House) and 2 associated arches and provision of new bridge crossing of the river Avon for pedestrian and cycle use, including new public realm on the North and South river banks, landscaping, a new river wall and links to the existing highway network

Item No. 2

Application No. 16/05349/REG13

Site Location: Bath Quays Bridge, Green Park Road, Bath – Demolition of building (Boiler House) within curtilage of listed building (Newark Works and associated arch structures)

The Case Officer reported on the application and his recommendation to grant planning permission and listed building consent. He pointed out one amendment to the report, Policy D8 – Lighting should be given significant weight rather than substantial weight. A small exception should also be added to additional conditions 19 and 20 set out in the update report.

Councillors Andrew Furse and Christopher Pearce, local ward members, spoke regarding the application.

Councillor Becker, also a local ward member, pointed out the comments made by Bath Heritage Watchdog and the adverse impact the bridge would have on the Conservation Area. He felt that the proposed bridge would be inappropriate and contrary to the Placemaking Plan and Council planning policies.

Councillor Jackson asked whether there would be measures in place to prevent the bridge from swaying. The Case Officer confirmed that there would be engineering solutions to prevent this and stated that the bridge would be quite sturdy.

Councillor Organ asked whether the condition of the arches to be retained at the end of the bridge would be improved. The Case Officer informed the Committee that the arches would be reinforced if investigations showed this to be necessary.

Councillor Crossley stated that this proposal was a move forward for this part of the city and moved that planning permission and listed building consent be granted subject to conditions. He noted that the design was bold and different and stated that the city needed modern structures as well as historic ones. He felt that the vista was good and that the development would link the old and new in an exciting and innovative way. It would be important to ensure that the arches were safe and secure.

Councillor Kew seconded the motion stating that he was very happy to see this area of the city brought back into use.

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

Item No. 3

Application No. 16/06188/FUL

Site Location: Hinton Garage, Albion Place, Kingsmead, Bath – Demolition of the former Hinton Garage Showroom and Workshop and erection of an Assisted Living Development comprising apartments and integrated communal and support facilities, landscaped residents' gardens, staff areas, basement residents' car and bicycle parking, refuse storage and associated infrastructure and services (Resubmission of application 15/05367/FUL)

The Case Officer reported on the application and his recommendation to delegate to permit subject to conditions and a Section 106 Agreement. He explained that the height of the building had now been reduced to seek to overcome the reason for the previous refusal.

The registered speakers spoke for and against the application.

Councillors Christopher Pearce and Andrew Furse, local ward members, spoke against the application.

Councillor Crossley asked why there was no social/affordable housing provision in the development. The Case Officer explained that a viability assessment had been provided and subsequently assessed and it was found to be unviable for the developer to provide any affordable housing units. The development would have large areas of communal space for residents which impacted on viability along with additional costs related to contamination.

Councillor Crossley then asked why there was so much car parking space when this was an assisted living scheme. The Case Officer explained that the minimum age for residents would be 60, an age when people were still likely to drive and own a vehicle. The scheme would provide some 61 car parking spaces, 25 bicycle spaces and 23 spaces for mobility scooters.

Councillor Becker asked about the level of reduction of the roof compared to the original proposal. The Case Officer confirmed that the roof height had been reduced by 2.56m. For comparison, it was noted that the properties built on the Western Riverside were on average 5 or 6 storeys in height.

Councillor Jackson felt that the proposal did not fit in with the surrounding area.

Councillor Appleyard had no issue with the height or design but was concerned at the lack of affordable housing within the development.

Councillor Kew then moved that the Committee delegate to permit the application subject to conditions. He noted that as this was a city centre location a higher density of development could reasonably be expected. The development would provide accommodation for a number of people and the modern design fitted in with the Western Riverside development. He felt that this was an improvement on the original application. Councillor Organ seconded the motion as the site had been vacant for 2 years and he felt that the development would be an attractive addition to the city.

Councillor Becker stated that residents and local ward members were right to object to this proposal as it did not fit in with a World Heritage setting and was overbearing.

Norfolk Crescent was an elegant design and he felt that the developer should reconsider the plans and bring forward a lower building with more variety of design.

Councillor Crossley stated that he did not feel the proposal respected the neighbouring properties and believed that a solution could be found to meet the needs of the neighbours. The development was overbearing and did not promote car sharing.

The Group Manager, Development Management, explained that the Council had agreed car parking standards and pointed out that this was not a completely central location. It was formerly a motor garage so previously had high vehicle numbers accessing the site.

The motion was then put to the vote and there were 5 votes in favour and 5 votes against. The Chair then used her casting vote in favour of the motion and it was **RESOLVED** to **DELEGATE TO PERMIT** the application subject to conditions and a Section 106 Agreement.

Item No. 4

Application No. 16/05520/FUL

Site Location: 57 Warminster Road, Bathampton, Bath, BA2 6RX – Addition of first floor and raising of roof to create two storey dwelling, two storey side and rear infill extension, erection of front porch and erection of single garage with terrace above following demolition of existing garage

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

The registered speaker spoke in favour of the application.

Councillor Crossley moved that the application be permitted subject to conditions. He stated that this was an imaginative scheme with a modern design. The houses in Warminster Road were all of varying designs so it would not be out of place.

Councillor Appleyard seconded the motion and stated that it was important to have houses with a contemporary design and that this one fitted in well.

The motion was then put to the vote and it was **RESOLVED** by 9 votes in favour and 1 abstention to **PERMIT** the application subject to the conditions set out in the report.

Item No. 5

Application No. 16/06124/FUL

Site Location: 14 Audley Grove, Lower Weston, Bath, BA1 3BS – Erection of 1 dwelling, car parking and associated landscaping in rear garden of existing dwelling

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

The registered speakers spoke for and against the application.

Councillors Christopher Pearce and Andrew Furse spoke against the application.

In response to an issue raised by one of the public speakers, the Highways Officer

gave advice on various issues including the status of land forming part of the development site and the removal of trees.

Councillor Jackson stated that she felt some issues were still unclear regarding the ownership of the land. She then moved that consideration of the application be deferred for a site visit. This was seconded by Councillor Kew.

Councillor Crossley also asked that the issues raised by objectors relating to the protection of newts, toads and frogs on the land also be clarified along with questions regarding the ownership of the land and trees.

The motion was then put to the vote and it was **RESOLVED** by 6 votes in favour, 3 against and 1 abstention to **DEFER** consideration of the application pending a site visit.

Item No. 6

Application No. 16/05888/FUL

Site Location: 3 Streamside, Chew Magna, BS40 8QZ - Erection of front and side extension to create house access from road level, rear single storey extension and associated works

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

The registered speaker spoke in favour of the application.

Councillor Liz Richardson, local ward member, spoke in favour of the application.

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

The motion was put to the vote and it was **RESOLVED** by 7 votes for, 1 vote against and 2 abstentions to **DEFER** consideration of the application pending a site visit.

Item No. 7

Application No. 16/06118/FUL

Site Location: 46 High Street, Saltford, BS31 3EJ – Addition of pitched roof and rear dormer to existing single storey side extension. Minor alterations to existing windows. Reinstatement of front boundary wall. Provision of deck to front. Improvements to off-street car parking

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

Councillor Jackson moved to permit the application subject to conditions. This was seconded by Councillor Kew.

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.

The Committee considered the appeals report. The Group Manager, Development Management, explained that the appeal relating to application no. 16/04424/FUL – Parcel 5472 Cobblers Way, Westfield, Radstock – was against non-determination. He confirmed that the Parish Council had responded within the required timescales.

RESOLVED to **NOTE** the report.

The meeting ended at 5.20 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 8th March 2017

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001	16/05094/FUL	Beechen Cliff School

An additional 3 objection comments and 1 general comment have been received since the February committee meeting. The main points raised were:

Concern about transparency of the applicant;
Concern about inaccurate drawings;
Loss of privacy;
Damage to properties;
Increased noise levels;
Harm to boundary planting;
Lack of room for hedge cutting;
Health and safety concerns relating to the width of the footpath

Item No.	Application No.	Address
003 & 004	16/05508/FUL and 16/05509/LBA	18 Upper Camden Place, Bath

A bat survey has now been submitted, comprising a building inspection by a licenced bat worker. The survey does not find any current use of the roof by bats but there is a small risk that animals could use the building in future or be concealed, and the report therefore recommends appropriate precautionary measures. These could be secured by condition.

The ecology concerns have been resolved; however, the applications remain recommended for refusal for the reasons outlined in the main report.

Item No.	Application No.	Address
01	16/05348/REG03	Bath Quays Bridge, Bath

A consultation response from the Contaminated Land Officer has been received. This is summarised below:

Taking account of the potentially contaminative historical use of the site on the north and south of the river for uses including: brass and iron foundry, engineering works and baths and laundries, it is advised that conditions are applied to any permission if granted to ensure that risks to human health and the environment are adequately assessed and managed.

Additional Conditions

As a result of the above response, the following additional conditions are to be added to the recommendation.

19. Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

20. Contaminated Land - Remediation Scheme (Pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,

(iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

21. Contaminated Land - Verification Report (Pre-occupation)

The approved bridge shall not be brought into use until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

22. Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to the approved bridge being brought into use.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

Additional amendment

Condition 19 (Plans List) is to be relabelled as condition 23

Item No.	Application No.	Address
03	16/06188/FUL	Former Hinton Garage, Upper Bristol Road, Bath

Correction

The committee report incorrectly states that the development will comprise 68 apartments; 67 flats apartments are in fact proposed.

Flood Risk Matters

Members will note from the main report that at the time of writing the Environment Agency (EA) had a standing objection to the application on the grounds that the submitted Flood Risk Assessment (FRA) had been prepared without reference to the EA's new guidance. A revised FRA has been submitted to the local planning authority and the EA's objection has since been withdrawn subject to a number of conditions. The conditions in question form part of the revised recommendation set out below with the exception of conditions suggested by the EA in relation to contaminated land. These conditions duplicate a number of conditions already suggested by the Council's Contaminated Land Officer and as such it is not recommended that these are added.

It is considered that the application now passes the second stage of the Exception Test as the submitted Flood Risk Assessment satisfactorily demonstrates that the development and its occupiers will be safe for its lifetime.

Ecological Matters

Ecological matters are now resolved. Natural England had raised concerns in relation to the potential impact of the proposed development on bats commuting/foraging along the adjacent River Avon in respect of light spill. A revised lighting report has been submitted and this sets out additional mitigation measures (including specialist glazing and automated blinds) to minimise light spill further. Both Natural England and the Council's ecologist are now content that predicted light spill will now be at a level that is ecologically acceptable, subject to conditions. A number of additional ecological conditions are recommended and are set out below.

Revised RECOMMENDATION

PERMIT

1. Authorise the Head of Legal and Democratic Services to enter into a Section 106 Agreement to secure:

a) that the development constitute an 'assisted living' development for the elderly (including the availability of certain range and quantum of support/health services and a minimum occupancy reconstruction of 60 years of age;

b) A targeted recruitment and training contribution

2. Subject to the prior completion of the above agreement, authorise the Group Manager to PERMIT subject to the conditions listed in the main report (or such conditions as may be appropriate) and subject to the following additional conditions:

1. The development hereby approved shall be constructed with finished lower ground floor levels set at a minimum of 18.61mAOD including the car parking area. The finished floor levels of the 1st floor should be set no lower than 22.15mAOD.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

2. No development (excluding demolition works) approved by this planning permission shall commence until such time as layout plans based on the Flood Risk Assessment (FRA) by Peter Brett Associates dated 27 January 2017 detailing the location of all mitigation measures detailed within the FRA, have been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The measures shall include:

- 1) Passive flood doors providing a protection level of at least 19:55mAOD combined with window sill levels no lower than 19:55mAOD.
- 2) Self raising flood barriers to 19:55mAOD.
- 3) A secondary line of flood doors.
- 4) Tanking of building walls and ceilings of the wellbeing centre and critical infrastructure.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. The measures shall be maintained for the lifetime of development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. A pre-commencement condition is necessary as flood mitigation measures can form an integral part of a building's construction.

3. During construction there shall be no stockpiling of building materials or spoil within the areas of the site designated as being in Flood Zone 3 as defined by the Environment Agency Flood Map for Planning.

Reason: To reduce impact of conveyance flows and flood risk.

4. Piling or any other foundation designs / investigation boreholes / tunnel shafts / ground source heating and cooling systems using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

5. No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- i. Updated ecological survey report to also include details of any necessary pre-commencement checks on site, and proposed reporting of findings to the LPA prior to commencement of works
- ii. Proposed details and specifications for all necessary measures to avoid harm to wildlife, including, as applicable, method statements and /or precautionary working methods and ecological supervision of works, for protection of the River Avon, otters, bats, nesting birds
- iii. Proposed measures to provide additional benefit to wildlife to include provision of wildlife friendly planting; habitat creation, and features such as bat and bird boxes, with details of specification, numbers, positions, heights, and materials to be provided for all proposed measures. All measures must be incorporated into the scheme and shown to scale on all relevant plans and drawings

All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan. A pre-commencement condition is necessary because development works have the potential to impact upon ecological interests.

6. The development hereby permitted shall be constructed and operated thereafter in accordance with the measures for reducing light spill and in accordance with the predicted light spill levels of the approved Illumination Impact Profile 16-02425-200716-LG- Hinton Garage Site IIP-01 – P5 by Hoare Lee dated 28th February 2017. Operation of automated blinds shall be programmed to coincide with dusk each day and shall be centrally controlled according to specified times of use to be first agreed in writing by the LPA. Overriding of controls by building occupiers will not be permitted. Any proposed revisions to the approved Illumination Impact Profile must be submitted to and agreed in writing by the LPA and may not be agreed without having first demonstrated equivalent or lower predicted light spill levels onto the river compared with those in the approved document.

Reason: To avoid unacceptable light spill from the development and to avoid harm to wildlife and bats which are protected species.

7. Prior to occupation, a proposed 2 year Programme for Monitoring of Operational Light Spill Levels to collect lux level data at times when peak bat activity and light usage coincide, shall be submitted to and approved in writing by the LPA. The Light Spill Monitoring Programme shall provide data showing operational post-occupancy light levels above and adjacent to the river Avon at heights and positions that enable comparison with the light spill levels predicted in the approved Illumination Impact 16-02425-200716-LG- Hinton Garage Site IIP-01 – P5 by Hoare Lee dated 28th February 2017. The Light Spill Monitoring Programme shall include proposed reporting to the LPA and specify timescales and frequency of monitoring. The programme shall also include proposed further mitigation and remedial action should operation light spill levels exceed the predicted light spill levels. Any necessary remedial action or further mitigation required shall be implemented in accordance with specifications to be agreed in writing with the LPA and a further light spill monitoring report shall be produced and approved in writing by the LPA to demonstrate the effectiveness of any necessary further mitigation. The Programme for Monitoring of Operational Lighting Spill Levels shall thereafter be implemented in accordance with the approved details.

Reason: to demonstrate the effectiveness of light spill minimisation and mitigation required to avoid harm to wildlife and bats which are protected species

8. No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights; details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. Predicted lux levels must be modelled in combination with predicted light spill from internal lighting and must demonstrate avoidance of additional light spill onto the river. The lighting shall be installed and operated thereafter in accordance with the approved details

Reason: to avoid unacceptable light spill from the development and to avoid harm to wildlife and bats which are protected species.

Informative

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the main river (River Avon). To enquire as to the scope of the Agency's controls and to obtain an application form, please email bridgwater.fdcs@environment-agency.gov.uk.

Swimming Pool filter backwash water should connect into a mains foul sewer. The filter backwash water or pool water must not be allowed to discharge into any watercourses, or enter any private sewage treatment systems.

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.

Item No.	Application No.	Address
07	16/06118/FUL	46 High Street, Saltford

2 revised survey drawings received to reflect the position of the red line in relation to the boundary with No44 High Street and to align with the corresponding proposed drawings. (Drawings ref. 1603/SE.002 and 003 – Survey Plans, Elevations and Section).

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BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES WISHING TO MAKE A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 8 MARCH 2017

A. SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
2	17 Station Road, Welton, Midsomer Norton	Councillor Jane Lewis (Midsomer Norton Town Council)	Against
		Councillor Michael Evans	N/A
3 and 4	18 Upper Camden Place, Walcot, Bath	Chris Dance (Agent) Greg Beale (Planning Heritage)	For (To share 6 minutes)

B. MAIN PLANS LIST			
1 & 2	Bath Quays Bridge, Green Park Road, Bath	Councillor Andrew Furse Councillor Ian Gilchrist	For N/A
3	Hinton Garage, Albion Place, Kingsmead, Bath	Charles Stirton (Norfolk Crescent Green Residents' Association)	Against
		Emma Webster (Pegasus Life Ltd – Applicant)	For
		Councillor Christopher Pearce	Against
		Councillor Andrew Furse	Against
4	57 Warminster Road, Bathampton, Bath, BA2 6RX	Alvin Howard (Agent)	For
5	14 Audley Grove, Lower Weston, Bath	Peter Harrell Stephen James	Against (To share 3 minutes)

		Chris Beaver (Agent)	For
		Councillor Christopher Pearce	Against
		Councillor Andrew Furse	Against
6	3 Streamside, Chew Magna	Simon Corbett (Agent)	For
		Councillor Liz Richardson	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

8th March 2017

SITE VISIT DECISIONS

Item No:	001	
Application No:	16/05094/FUL	
Site Location:	Beechen Cliff School , Kipling Avenue, Bear Flat, Bath	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Extend bank southwards using existing on site spoil heap to create wider playing field.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Sites used as playing fields, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Beechen Cliff School	
Expiry Date:	16th December 2016	
Case Officer:	Chris Griggs-Trevarthen	

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 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No material to be used in the construction of the extend bank shall be deposited on the site until a detailed arboricultural method statement with tree protection plan following the recommendations contained within BS 5837:2012 identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during carport construction and landscaping operations and arboricultural supervision and monitoring. The statement should include the control of potentially harmful operations such as the position of service runs and soakaways, storage, handling and mixing of materials on site, and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.4 of the Bath and North East Somerset Local Plan and CP7 of the Core Strategy.

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.

3 No imported material (Compliance)

No material from outside of the school grounds shall be used in the approved development.

Reason: To avoid the import of material onto the site in the interest of highways safety in accordance with policy T.24 of the Local Plan.

4 Restoration of current bank (Compliance)

The land within the application site shall be laid to grass within 3 months of the date of this planning permission.

Reason: To ensure that the character and appearance of the important hillside is preserved in accordance with policies NE.1 and NE.3 of the Bath and North East Somerset Local Plan and policy CP6 of the Bath and North East Somerset Core Strategy and to ensure that the land is restored when the bank is not being actively constructed.

5 Program of works for future phases (Bespoke Trigger)

No material to be used in any phase of the construction of the extend bank (as shown on drawing no. 2135-18 B) shall be deposited on the site until a program of works has been submitted to and approved in writing by the Local Planning Authority for that phase. The program of works shall include:

Details of the amount of material to be deposited;

Existing and proposed levels for that phase;

Details of the restoration of the land following that phase of the construction of the extended bank;

Details of the erection and removal of any means of enclosure; and,

A timetable for all of the above

That phase of the development shall thereafter be undertaken in accordance with the approved program of works.

Reason: To ensure that the character and appearance of the important hillside is preserved in accordance with policies NE.1 and NE.3 of the Bath and North East Somerset Local Plan and policy CP6 of the Bath and North East Somerset Core Strategy and to ensure that the land is restored when the bank is not being actively constructed.

6 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:

2135-4C Existing Plan

2135-18 B	Proposed Site Plan with New Bank
2135-19	Section AA
2135-20	Section BB

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

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

INFORMATIVES

1. For the avoidance of doubt, the Masterplan drawings which have been submitted alongside this application are not approved. No indication of support or otherwise for the proposals shown within the Masterplan shall be taken from this decision.

2. All surface water will be managed on site during and after construction so as not to increase flood risk to others

3. Wales & West Utilities has pipes in the area. Their apparatus may be affected and at risk during construction works. The promoter of these works should contact them directly

to discuss their requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

4. The issues highlighted in the PROW Response (dated 12th December 2016 and submitted on 13th December 2016) regarding the public rights of way on the site, must be addressed separately by the School. The Council requires the School to apply to the Public Rights of Way Team for a Diversion Order as soon as possible to address these issues.

Item No:	002		
Application No:	16/04499/FUL		
Site Location:	17 Station Road, Welton, Midsomer Norton, BA3 2AZ		
Ward: Midsomer Norton North	Parish: Midsomer Norton	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 6no. new dwellings following demolition of existing dwelling and outbuildings (resubmission) - revised plans		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Flower And Hayes Ltd		
Expiry Date:	12th January 2017		
Case Officer:	Tessa Hampden		

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No development shall commence until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

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.

3 Arboriculture - Compliance with Arb Method Statement (Pre-occupation)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. No occupation of the approved development shall commence until a signed certificate of compliance by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.

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. To ensure that the approved method statement is complied with for the duration of the development.

4 Hard and Soft Landscaping (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

5 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

6 Highways - 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.

7 Highways - Parking (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.

8 Highways - Residents Welcome Pack (Pre-occupation)

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

9 Highways - Visibility splays (Pre-occupation)

The development hereby permitted shall not be occupied until the visibility splays shown on the submitted plan (F1123/116A submitted under ref.

15/03416/FUL) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

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.

10 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.

11 Flood Risk and Drainage - Surface Water Discharge Rates (Pre-commencement)

No development shall commence, except ground investigations, until written confirmation from the sewerage company (Wessex Water) accepting the surface water discharge into their network including point of connection and rate has been submitted to the Local Planning Authority. If the sewerage company are not able to accept the proposed surface water discharge, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, shall be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether the discharge rates are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

12 Flood Warning Evacuation Plan (Pre-occupation)

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

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

13 Highways - Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

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

14 Ecological and Protected Species (Bats) Mitigation Scheme (Bespoke trigger)

Prior to the commencement of any works including site clearance, demolition or construction on site, an Ecological and Protected Species (Bats) Mitigation Scheme, produced by a suitably experienced ecologist (licensed bat worker) shall be submitted to and approved by the Local Planning Authority. This shall be accompanied by either (a) a copy of the European Protected Species licence required for the works in accordance with the Habitat and Species Regulations 2010, or (b) written confirmation that the works do not require an European Protected Species licence, and shall also include:

1. Full and completed ecological and bat survey findings, including update surveys if applicable
2. Full details of proposed bat mitigation for example a European protected species licence application method statement, together with specifications for replacement bat roost provision, with full details to be shown on scale plans and drawings as applicable
3. Full details of all other necessary ecological and wildlife protection and mitigation
4. Details of proposed soft landscaping and lighting design, with the objective of providing suitable, dark, bat flight-corridor habitats, connecting roost locations to adjacent vegetation, and designed to encourage long term use of the roost spaces by bats and to minimise risk of roost failure.

The development shall thereafter be implemented only in accordance with the approved Ecological and Protected Species (Bats) Mitigation Scheme.

Reason: to safeguard ecology and protected species including bats and their roosts

15 Ecological follow up report (Bespoke trigger)

Prior to occupation of the development, an ecological follow-up report produced by a suitably experienced ecologist (licensed bat worker) confirming and demonstrating, using photographs where appropriate, that works have been carried out in accordance with the Ecological and

Protected Species (Bats) Mitigation Scheme, and all necessary ecological measures have been implemented and incorporated into the scheme, shall be submitted to the local planning authority and approved in writing prior to occupation of the development.

Reason: to ensure the ecological and protected species mitigation scheme is satisfactorily implemented

16 Removal of Permitted Development Rights - No extensions or alterations (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority because further development could result in overdevelopment of the site.

17 Noise Mitigation (Pre-occupation)

No development shall take place on site until a scheme to protect future residents of plot 3 from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.

Reason: To ensure that the occupiers of this unit are protected against any noise from the adjacent commercial use.

18 Materials - Submission of Schedule and Samples (Bespoke Trigger)

Notwithstanding the approved plans, 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.

19 Screening (Pre-occupation)

The dwellings hereby approved shall not be occupied until details of all proposed boundary treatment has 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, and to protect residential amenity, 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.

20 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (eg. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

21 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:

Revised Drawing	15 Nov 2016	F1123/100F	PROPOSED SITE PLANS AND SECTION
15 Nov 2016	F1123/101E	PROPOSED SITE SECTION AND SCHEDULES	
15 Nov 2016	F1123/112D	PROPOSED PLANS AND ELEVATIONS PLOT	
15 Nov 2016	F1123/115D	PROPOSED PLANS AND SECTIONS PLOTS 5 AND	
15 Nov 2016	F1123/116D	PROPOSED SITE PLAN SHOWING VEHICULAR	
		MOVEMENTS	

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

Works or demolition must not commence to any buildings on the site until an EPS licence has been obtained.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework.

Item No:	003		
Application No:	16/05508/FUL		
Site Location:	18 Upper Camden Place, Walcot, Bath, Bath And North East Somerset		
Ward: Lansdown	Parish: N/A	LB Grade: II	
Application Type:	Full Application		
Proposal:	Installation of proposed mansard roof and associated dormer windows to front and rear elevations		
Constraints:	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,		
Applicant:	Mrs Tracey Dean-Chalkley		
Expiry Date:	9th March 2017		
Case Officer:	Laura Batham		

DECISION REFUSE

1 The proposed complete removal of the historic roof structure, the addition of a new and higher roof in mansard form, demolition and rebuild of the chimneys, would result in substantial harm to the listed building and this level of harm is not outweighed by any public benefits. The alterations would also cause harm to the character of the conservation area and world heritage site. As such the proposal is considered contrary to section 16 of the Planning (Listed Buildings and Conservation Areas) Act, Saved Local Plan Policies BH.2, BH.6, Policy B4 of the Core Strategy, Placemaking Plan Policy HE1 and the advice contained within the NPPF.

PLANS LIST:

This decision relates to drawings 231/21 and location plan received on 11th November 2016 and 231/11 Rev. B and 231/1 Rev. D received on 16th February 2017.

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 Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	004		
Application No:	16/05509/LBA		
Site Location:	18 Upper Camden Place, Walcot, Bath, Bath And North East Somerset		
Ward: Lansdown	Parish: N/A	LB Grade: II	
Application Type:	Listed Building Consent (Alts/exts)		
Proposal:	Internal and external alterations to install mansard roof and associated dormer windows to front and rear elevations		
Constraints:	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,		
Applicant:	Mrs Tracey Dean-Chalkley		
Expiry Date:	9th March 2017		
Case Officer:	Laura Batham		

DECISION REFUSE

1 The proposed complete removal of the historic roof structure, the addition of a new and higher roof in mansard form, demolition and rebuild of the chimneys, associated alterations to the plan form of the building and upgrading of historic fabric to meet building regulations as a result of the changes would result in substantial harm to the listed building and this level of harm is not outweighed by any public benefits. As such the proposal is considered contrary to section 16 of the Planning (Listed Buildings and Conservation Areas) Act, Saved Local Plan Policy BH.2, Placemaking Plan Policy HE1 and the advice contained within the NPPF.

PLANS LIST:

This decision relates to drawings 231/21 and location plan received on 11th November 2016 and 231/11 Rev. B and 231/1 Rev. D received on 16th February 2017.

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 Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given 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.

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

8th March 2017

DECISIONS

Item No:	01	
Application No:	16/05348/REG03	
Site Location:	Bath Quays Bridge, Green Park Road, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Regulation 3 Application	
Proposal:	Demolition of existing building (Boiler House) and two (2) no. associated arches and provision of new bridge crossing of the river Avon for pedestrian and cycle use, including new public realm on the North and South river banks, landscaping, a new river wall and links to the existing highway network.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Centres and Retailing, Conservation Area, Contaminated Land, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Bath And North East Somerset Council	
Expiry Date:	10th March 2017	
Case Officer:	Chris Griggs-Trevarthen	

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 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, and site compound arrangements. The management plan shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The development shall thereafter be undertaken in accordance with the approved details.

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

3 Construction Phase Plan (Pre-commencement)

No development permitted by this planning permission shall commence until such time as a Construction phase plan has been submitted to, and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall thereafter proceed in accordance with the approved details.

Reason: To ensure no increased flood risk during the construction period in accordance with policy CP5 of the Core Strategy. This is a condition precedent because the incorrect phasing of works has the potential to increase flood risk, so these details are required before the start of works.

4 Bridge Materials (Bespoke Trigger)

Prior to the construction of the approved bridge structure samples of the materials to be used for the steel frame and natural stone decking shall be 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.

5 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of an Ecology Management and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) All necessary ecological protection measures to be implemented prior to and during construction phase;
- (ii) A timetable of delivery to show provision of the otter holt and habitat enhancements prior to demolition of the existing resting site;
- (iii) Details of habitat replacement and enhancement;
- (iii) Proposed conservation management objectives for the otter holt site, replacement habitat and enhanced habitat and prescriptions and timescale for their on-going management;

All works within the scheme shall be carried out in accordance with the approved details and prior to the approved bridge being opened to the public.

Reason: To safeguard local species and their habitats in accordance with policy NE.9 and NE.10 of the Bath and North East Somerset Local Plan and policy NE3 of the emerging Placemaking Plan. This must be done prior to development as any works have the potential to harm wildlife.

6 Hard Landscaping (Bespoke Trigger)

The approved bridge shall not be opened to the public until a hard landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of existing and proposed walls, fences, ground levels, other boundary treatment and surface treatment of the open parts of the site, the position and details of any bollards or street furniture and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

7 Landscaping Implementation (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the approved bridge being opened to the public or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

8 Archaeology - Controlled Excavation (Bespoke Trigger)

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

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

9 Archaeology - Historic Building Recording (Pre-commencement)

No development or demolition shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed

development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

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

10 Archaeology - Post Excavation and Publication (Bespoke Trigger)

The approved bridge shall not be opened to the public until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

11 Arboricultural Method Statement and Tree Protection Plan (Bespoke Trigger)

No works to the north bank shall commence until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

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.

12 Lighting Strategy (Bespoke Trigger)

No lighting shall be installed as part of the development until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following:

The approach and design of the bridge lighting;
Detailed light spill calculations (including lux contour plans) to achieve the levels shown on drawing number 12905-1-E or lower;
Details of light control systems and regimes.

Any lighting installed shall accord with the details of the approved lighting strategy.

Reason: To prevent harm to ecology and bat activity arising from increased light levels above the river.

13 Review of installed lighting (Bespoke Trigger)

a. Within 3 months of the first operation of any installed lighting, a technical review of the lighting shall be carried out by a competent person to confirm compliance of the installed scheme with the approved lighting strategy. The review and report shall include an assessment of the operational light spill onto the river and bankside and shall confirm that it falls within the predicted and acceptable limits set out in the approved lighting strategy.

Should the review conclude that the lighting scheme is not in compliance, the report shall detail the modifications required to the lighting scheme to achieve compliance. If the installed lighting scheme is not in compliance with the lighting strategy, then the lighting shall be switched off or dimmed to a complaint level until the modifications referred to in part (b) below have been carried out.

b. Where modifications are required to secure compliance, these shall be carried out within 6 months of the first operation of the completed lights and the report from (a) shall be updated to confirm compliance and shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall thereafter be maintained in full accordance with the details agreed.

Reason: To ensure that the predicted light levels are achieved and to prevent harm to ecology and bat activity arising from increased light levels above the river.

14 Bridge ramp run-off (Compliance)

The approved bridge shall not be opened to the public until a level area extending 5m to the west from the end of the bridge ramp has been paved and made available to members of the public. This area shall be kept clear of any obstructions, except for any features forming part of the approved landscape scheme.

Reason: In the interests of pedestrian safety in order to allow those who are unable to use the direct route to/from Lower Bristol via the proposed steps to do so safely via the ramp and in accordance with policy T.24 of the Bath and North East Somerset Local Plan and policy ST7 of the emerging Placemaking Plan.

15 Off-site highways works (Bespoke Trigger)

The approved bridge shall not be opened to the public until a scheme of off-site highways works for the Lower Bristol Road adjacent to the site has been completed in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the detail and implementation of a scheme of off-site highways works in the interests of highways safety in accordance with policy T.24 of the Bath and North East Somerset Local Plan and policy ST7 of the emerging Placemaking Plan.

16 Flood Management Plan (Bespoke Trigger)

The approved bridge shall not be opened to the public until a Flood Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should

include details to ensure that the bridge is not used during times of flood where there could be potential risk to life. This plan shall address the matters required pursuant to section 10 of the National Planning Policy Framework and the National Planning Practice Guidance. Thereafter the measures within the approved Flood Management Plan shall be implemented in perpetuity.

Reason: To reduce flood risk and the risk to the public during a flood event in accordance with policy CP5 of the Core Strategy.

17 Bridge Deck Height (Compliance)

The development hereby permitted shall be constructed with the Bridge deck set no lower than 19.9m AOD at any part of the span.

Reason: To reduce flood risk and the potential for debris to be trapped under the bridge during times of high flows and in accordance with policy CP5 of the Core Strategy.

18 Flood Defence Line (Compliance)

There must be a continuous defence line maintained along the south bank of the river of 20.25m AOD at all times

Reason: To reduce flood risk and to maintain flood defence at all times in accordance with policy CP5 of the Core Strategy.

19 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development, except for demolition (excluding the breaking of any ground slab) and above ground works, shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National

Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

20 Contaminated Land - Remediation Scheme (Pre-commencement)

No development, except for demolition (excluding the breaking of any ground slab) and above ground works, shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

21 Contaminated Land - Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

22 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be

undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

23 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:

J2571_S_001_PO	EXISTING SITE PLAN
J2571_S_101_PO	PROPOSED SITE PLAN
J2571_S_102_PO	PROPOSED SITE PLAN WITHOUT SOUTH PROJECT
J2571_S_103_PO	PROPOSED BRIDGE DECK PLAN
J2571_S_104_PO	PROPOSED SURFACE FINISHES - NORTH BANK
J2571_S_105_PO	PROPOSED SURFACE FINISHES - SOUTH BANK
J2571_S_106_PO	PROPOSED BELOW BRIDGE DECK PLANTING PLAN
J2571_S_107_PO	REFLECTED SOFFIT PLAN
J2571_S_109_PO	DEMOLITION PLAN
J2571_S_201_PO	GEOMETRY AND PROPOSED LONG SECTION
J2571_S_201_PO	GEOMETRY AND PROPOSED LONG SECTION
J2571_S_202_PO	SPAN DECK SECTION
J2571_S_203_PO	PIER SECTION
J2571_S_204_PO	RIVER SPAN DECK
J2571_S_301_PO	PROPOSED PROJECT ELEVATIONS AT BRIDGE
J2571_S_302_PO	ELEVATION FLOOD DEFENCE WALL
J2571_S_401_PO	SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_402_PO	SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_403_PO	PROPOSED BALUSTRADE
J2571_S_501_PO	SITE LOCATION PLAN
12905-1-E	LUX CONTOURS (WATER LEVEL)
12905-1-E	LUX CONTOURS (1M ABOVE WATER LEVEL)
12905-1-E	LUX CONTOURS (2M ABOVE WATER LEVEL)
12905-1-E	LUX CONTOURS (3M ABOVE WATER LEVEL)

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

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

INFORMATIVES

1. Public footpath AQ91a crosses the application site. A TTRO must be applied for an in force for the duration of the development in the interests of public safety. The surface of the footpath must be reinstated to a suitable condition for use by the public once the works have been completed.

2. Wales & West Utilities has pipes in the area. Their apparatus may be affected and at risk during construction works. The promoter of these works should contact Wales and West Utilities directly to discuss their requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable

3. As part of the Bath Quays Waterside project flap valves are to be fitted to existing surface water outfalls, one of which is located on the south bank within the red line area of this development. Rationalisation of the existing drainage within the Bayer Building car park has been suggested by the Bath Quays Waterside Project Team as being desirable. It is however noted that such works may well be delivered by the Bath Quays South development at this location.

4. The applicant should contact the Canal & River Trust Waterway Engineer on 0303 040 4040 to ensure that the Work complies with their 'Code of practice for work adjacent to the waterway' and that the appropriate agreements are in place.

5. Under the Environmental Permitting (England and Wales) Regulations 2010 permission from the Environment Agency may be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of a designated main river. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Item No:	02
Application No:	16/05349/REG13
Site Location:	Bath Quays Bridge, Green Park Road, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Regulation 13 Application
Proposal:	Demolition of building (Boiler House) within curtilage of listed building (Newark Works and associated arch structures).
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Centres and Retailing, Conservation Area, Contaminated Land, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath & North East Somerset Council
Expiry Date:	10th March 2017
Case Officer:	Chris Griggs-Trevarthen

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 Archaeology - Controlled Excavation (Bespoke Trigger)

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

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

3 Archaeology - Historic Building Recording (Pre-commencement)

No development or demolition shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

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

4 Archaeology - Post Excavation and Publication (Bespoke Trigger)

The approved bridge shall not be opened to the public until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

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:

J2571_S_001_PO EXISTING SITE PLAN
J2571_S_101_PO PROPOSED SITE PLAN
J2571_S_102_PO PROPOSED SITE PLAN WITHOUT SOUTH PROJECT
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J2571_S_105_PO PROPOSED SURFACE FINISHES - SOUTH BANK
J2571_S_106_PO PROPOSED BELOW BRIDGE DECK PLANTING PLAN
J2571_S_107_PO REFLECTED SOFFIT PLAN
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J2571_S_202_PO SPAN DECK SECTION
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J2571_S_204_PO RIVER SPAN DECK
J2571_S_301_PO PROPOSED PROJECT ELEVATIONS AT BRIDGE
J2571_S_302_PO ELEVATION FLOOD DEFENCE WALL
J2571_S_401_PO SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_402_PO NORTH ABUTMENT SECTION AND ELEVATION
J2571_S_403_PO PROPOSED BALUSTRADE
J2571_S_501_PO SITE LOCATION PLAN
12905-1-E LUX CONTOURS (WATER LEVEL)
12905-1-E LUX CONTOURS (1M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (2M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (3M ABOVE WATER LEVEL)

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Item No:	03
Application No:	16/06188/FUL
Site Location:	Hinton Garage Bath Ltd Hinton Garage, Albion Place, Kingsmead, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Demolition of the former Hinton Garage Showroom and Workshop and erection of an Assisted Living Development comprising apartments and integrated communal and support facilities; landscaped resident's gardens; staff areas; basement residents car and bicycle parking; refuse storage and associated infrastructure and services. (Resubmission of application 15/05367/FUL).

Constraints:	Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Flood Zone 2, Flood Zone 3, Flood Zone 8m from centre of river, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Site Of Special Scientific Interest (SI), SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	PegasusLife Ltd
Expiry Date:	23rd March 2017
Case Officer:	Chris Gomm

DECISION Delegate to permit subject to applicant entering into S106 Agreement.

Item No:	04		
Application No:	16/05520/FUL		
Site Location:	57 Warminster Road, Bathampton, Bath, Bath And North East Somerset		
Ward:	Bathavon North	Parish:	Bathampton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Addition of first floor and raising of roof to create two storey dwelling, two storey side and rear infill extension, erection of front porch and erection of single garage with terrace above following demolition of existing garage.		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Simon Darnton		
Expiry Date:	10th March 2017		
Case Officer:	Emma Hardy		

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 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.

4 Soft Landscaping (Pre-occupation)

No occupation shall commence until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs and planting; details of existing and proposed walls, fences, other boundary treatment; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

5 Highways - Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development shall commence until the vehicular access, parking and turning space 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.

6 Precautionary Ecology Measures (Compliance)

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

- o a careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, prior to any works affecting these areas
- o active nests shall be protected undisturbed until the young have fledged
- o works to the roof and any areas with concealed spaces or crevices shall be carried out by hand, lifting tiles (not sliding) to remove them, and checking beneath each one.
- o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding.

Reason: To avoid harm to protected species (bats and nesting birds) in accordance with Policy NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

7 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights; details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land; and to avoid

harm to bat activity and other wildlife. The lighting shall be installed in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

PLANS LIST:

This decision relates to the following drawings and information:

Existing Photographs 2350/P, un-numbered Existing Floor Plan, 2350/2 Existing Street View, 2350/3 Existing Elevations, 2350/4 Existing Section, 2350/5 Existing Garden and Parking Area and Design and Access Statement received 11/11/2016, 2350/1 Rev A Location & Block Plan, 2350/6 Rev A, 2350/8 Rev A, 2350/9 Rev A, 2350/10 Rev 10, 2350/13 Bridge Views Photographs to E & W, 2350/14 Terrace View Photographs to NE & NW and 2350/11 Proposed Street View received 23/1/2017 and 2350/7 Rev B received 6/2/17.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

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

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.

Item No:	05		
Application No:	16/06124/FUL		
Site Location:	14 Audley Grove, Lower Weston, Bath, Bath And North East Somerset		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 1 no. dwelling, car parking and associated landscaping in rear garden of existing dwelling.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,		
Applicant:	Mrs A Chippendale		
Expiry Date:	10th March 2017		
Case Officer:	Emma Hardy		

Defer for site visit - to allow Members to understand the context of the site

Item No:	06		
Application No:	16/05888/FUL		
Site Location:	3 Streamside, Chew Magna, Bristol, Bath And North East Somerset		
Ward: Chew Valley North	Parish: Chew Magna	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of front and side extension to create house access from road level, rear single storey extension and associated works		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,		
Applicant:	Mr Geoff Jones		
Expiry Date:	27th January 2017		
Case Officer:	Samantha Mason		

Defer for site visit - to allow Members to understand the context of the site

Item No:	07	
Application No:	16/06118/FUL	
Site Location:	46 High Street, Saltford, Bristol, Bath And North East Somerset	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Addition of pitched roof and rear dormer to existing single storey side extension. Minor alterations to existing windows. Reinstatement of front boundary wall. Provision of deck to front. Improvements to off-street car parking.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, British Waterways Major and EIA, Conservation Area, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Mr Vaughan Thompson	
Expiry Date:	17th March 2017	
Case Officer:	Sasha Berezina	

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 Gable Extension - Matching Stonework (Compliance)

The external stone walling of the new gable shall match that of the main gable of the existing building in respect of type, size, colour, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies BH.6, 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 Boundary Wall - Matching materials (Compliance)

The reinstatement of the boundary wall shall be carried out to match the existing adjoining boundary wall in materials and coursing.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies BH.6, 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 Obscure Glazing and Restricted-opening Window(s) (Compliance)

The proposed First Floor window on the west side elevation shall be obscurely glazed and have restricted opening as indicated on the drawing No 1603/PD.111 received 08/02/2017. Thereafter the window specification 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.

5 Bound/Compacted Vehicle Access (Compliance)

The leveled vehicular access hereby approved shall be 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.

6 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:

OS Extract	20 Dec 2016	1603/LP.001	LOCATION PLAN
Drawing	20 Dec 2016	1603/BP.005	BLOCK PLAN
Drawing	20 Dec 2016	1603/BP.105	BLOCK PLAN - PROPOSED
Revised Drawing	27 Feb 2017	1603/SE.003	SURVEY ELEVATIONS & SECTION
Revised Drawing	27 Feb 2017	1603/SP.002	SURVEY PLANS
Revised Drawing	15 Feb 2017	1603 / DE.103	PROPOSED ELEVATIONS & SECTION
Revised Drawing	15 Feb 2017	1603 / DP.102	PROPOSED PLANS
Revised Drawing	08 Feb 2017	1603/PD.107	CLERESTORY DETAILS
Revised Drawing	08 Feb 2017	1603/PD.108	DORMER DETAILS
Revised Drawing	08 Feb 2017	1603/PD.109	DORMER DETAILS
Revised Drawing	08 Feb 2017	1603/PD.110	FRONT GARDEN DOORS
Revised Drawing	08 Feb 2017	1603/PD.111	LOW LEVEL WINDOW TO SIDE ELEVATION
Drawing	09 Jan 2017	1603/PP.006	PARKING AREA - EXISTING
Drawing	09 Jan 2017	1603/PP.106	PARKING AREA - PROPOSED

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework.

NOTE TO APPLICANT:

In addition to this consent, the proposed development will require separate Local Highway Authority Section 171 licence for the construction of works in/or adjacent the highway. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact the Street Works Team in this respect as soon as possible.

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