

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 5th April, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Jasper Becker, Paul Crossley, Matthew Davies, Eleanor Jackson, Les Kew, Bryan Organ, Caroline Roberts and David Veale

124 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

125 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

126 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

127 DECLARATIONS OF INTEREST

There were no declarations of interest.

128 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

129 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.

130 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

131 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 8 March 2017 were confirmed and signed as a correct record subject to the following amendment:

Minute No. 121 – Item No. 2 – Application No. 16/04499/FUL – paragraph 4, line 2, after the words “She stated that the conservation policy” add the words “statement for Midsomer Norton”.

132 **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 1 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

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

Item No. 1

Application No. 16/06124/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 her recommendation to permit. She informed the Committee that some further objections had been received but that no new material planning issues had been raised.

The registered speakers spoke for and against the application.

Councillor Chris Pearce, local ward member, spoke against the application.

In response to a question the Case Officer explained that the Ecologist had not felt that an ecology report was required for this application.

Councillor Jackson noted that there had already been infill development in the area and felt that this was a good design. She then moved that planning permission be granted subject to conditions. This was seconded by Councillor Appleyard.

Councillor Kew supported the proposal and pointed out that the location was already a built up area.

Councillor Roberts felt that the house and design were acceptable but that the development would change the nature of the street. This could set a precedent and could lead to more houses being built in the area. Officers explained that each application had to be considered on its own merits.

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

Councillor Roberts then moved that the application be refused due to the detrimental

effect on the amenities of the neighbouring properties (overlooking and loss of light), increased activity representing a nuisance, overdevelopment of the site and inadequate vehicular access. This was seconded by Councillor Organ.

The Group Manager, Development Management, explained that it would be difficult to defend a precedent or density reason for refusal if the applicant went to appeal and that there was no objection from the highway authority to the development on grounds of highway safety.

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

The Senior Lawyer explained that it was open to Members to put forward further motions until a positive decision was reached on a motion as the 2 motions at this point had failed.

Councillor Appleyard then moved that, having reflected on the advice provided by officers, the Committee delegate to permit the application subject to conditions and the rear fence-line being moved back. This was seconded by Councillor Kew.

The motion was then put to the vote and it was RESOLVED by 6 votes in favour, 3 against and 1 abstention to DELEGATE TO PERMIT the application subject to the conditions set out in the report and the rear fence-line being moved.

Item No. 2

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 application.

The registered speaker spoke in favour of the application.

Councillor Liz Richardson spoke in favour of the application.

In response to a question the Case Officer explained that the external steps had not been included in the volume calculation but that the internal stairs had been taken into account.

The Group Manager explained that the test was whether the development was disproportionate. Officers had no objection to the design or positioning but had concluded that the volume increase exceeded the guidelines for a greenbelt location. The development would not be in accordance with the B&NES Development Plan or national policy.

Councillor Organ moved that planning permission be refused for the reasons set out in the report. This was seconded by Councillor Kew who agreed that the proposal was against greenbelt policy. However, he felt that it would be appropriate now to review the Council's Supplementary Planning Documents and greenbelt policy.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 against to REFUSE the application for the reasons set out in the report.

133 **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: 16/04818/EREREG03

Site Location: Bath Quays South Development Site, Riverside Business Park, Westmoreland, Bath – Mixed-use development of land bounded by Lower Bristol Road, Riverside Court, River Avon and Maritime House with vehicular access via Riverside Road and Lower Bristol Road comprising:

- (1) Detailed Application for the erection of an office building (Use Class B1 – 5,017sqm GIA), change of use of and alterations to Newark Works and adjacent buildings to provide Creative Employment Workspace (Use Class B1, A1, A3, D1, D2, - 4,539sqm GIA, non-B1 uses not more than 10% of the total floor area).
- (2) Outline Application (Access, Layout and Scale to be approved) for the erection of building(s) to accommodate up to 5,027sqm of residential accommodation (up to 60 units, Use Class C3) and up to 193sqm GIA of retail space (Use Class A1, A2 or A3).

Associated development comprising demolition of existing buildings, provision of new public realm, landscaping and infrastructure works.

Item No. 2

Application No: 16/04819/REG13

Site Location: Bath Quays South Development Site, Riverside Business Park, Westmoreland, Bath – Internal and external alterations to Newark Works (including West Machine Shop and Smithy) and demolition of Foundry and Boiler House

The Case Officer reported on the applications and his recommendation to delegate to permit subject to amendments to the conditions. He explained that the applications had been amended by the applicants as a result of some of the objections received. The update report outlined the issues regarding the withdrawal

of BMT (prospective occupiers of the new office building) from the scheme.

The registered speakers spoke in favour and against the application.

Councillor Becker spoke as local member. He stated that while he had no objection to the development of the site he was not happy with the design. He felt that it contradicted the Placemaking Plan Policies and that the traditional nature of Bath should be celebrated. He felt that this development was not in the public interest and asked the Committee to reject this design and bring back an enhanced proposal.

In response to a query regarding the withdrawal of BMT the Case Officer stated that any potential harm to the development had been considered and the principle of the scheme remained acceptable.

Councillor Jackson asked why there was no affordable housing on this site. The Case Officer explained that the application had been supported by a financial appraisal which advised that affordable housing would not be viable for the development. A review mechanism would be proposed and the question of affordable housing would be considered for future developments on the site.

The Group Manager explained that the proposal was largely office space driven as the Council had a strategy to deliver more office space. The more lucrative use would have been residential development and this had affected viability for affordable housing. This had been confirmed by an independent appraisal.

Councillor Becker asked why the recommendations of the Council's Conservation Officer and Urban Design Officer were not being taken into account. The Case Officer explained that while Planning Officers had to consider these views, on balance it was felt that the proposals were acceptable. Any potential harm was outweighed by the public benefit of the scheme. Councillor Becker noted that a different design could still have the same benefits.

The Group Manager explained that the Committee has to consider the proposal put before it. The Reserved Matters would be brought back to the Committee for consideration and this would include the outstanding detailed design matters.

Councillor Crossley stated that the city required a balance of development as a World Heritage Site still required some modern architecture. Jobs were needed in Bath and employment property was being lost. Bath had a growing technology and creative sector and the development would fill up quickly. This would not affect the World Heritage status of the city. On balance, Councillor Crossley considered that the benefits of the proposal outweighed the harm.

Councillor Crossley then moved that the Committee delegate to permit the planning application and grant listed building consent. This was seconded by Councillor Kew who felt that this was a good contemporary design which would bring benefits to the city.

Councillor Jackson stated that good office space was required in Bath and this site was convenient and accessible. However, she felt that the architecture and design was disappointing.

The motion was then put to the vote and it was RESOLVED by 9 votes in favour and 1 against:

- (1) To DELEGATE TO PERMIT planning permission subject to conditions and a scheme viability review mechanism; and
- (2) To DELEGATE TO GRANT listed building consent subject to conditions.

Item No. 3

Application No. 16/05772/FUL

Site Location: 40 Bloomfield Park, Bloomfield, Bath, BA2 2BX – Erection of 8 apartments with associated parking and landscaping following demolition of existing detached house and garage (Resubmission)

The Case Officer reported on the application and his recommendation to permit. He informed the Committee that two further letters of objection had been received and that suggested Condition 3 had been amended to include sample panels of roofing materials.

The registered speakers spoke in favour and against the application.

Councillor Mark Shelford, local ward member, spoke against the application.

Councillor Kew stated that he liked the design of the building and noted that the plot was large. However, he noted the large numbers of objections received from local residents regarding the impact of the development. For this reason he moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Crossley.

The motion was then put to the vote and it was RESOLVED unanimously to DEFER consideration of the application pending a site visit.

Item No. 4

Application No. 16/04249/FUL

Site Location: Pinkers Farm, Middle Street, East Harptree – Demolition of agricultural buildings and erection of 8 dwellings

The Case Officer reported on the application and his recommendation to delegate to permit. He explained that one two-bedroomed dwelling had been offered as an affordable housing unit and that this could be secured by a S106 Agreement.

The registered speakers spoke for and against the application.

Councillor Tim Warren, local ward member, spoke against the application.

Councillor Jackson queried whether this was a sustainable development as she was not aware of a bus service to East Harptree. The Group Manager explained that there were 28 off-street parking spaces provided for the development. East Harptree had a level of facilities which meant that it was considered as sustainable in the Core Strategy.

Councillor Kew felt that this proposal complied with the relevant policies and was a

reasonable proposal. He moved that the Committee delegate to permit the application subject to conditions. This was seconded by Councillor Roberts.

The motion was then put to the vote and it was RESOLVED by 7 votes in favour and 3 against to DELEGATE TO PERMIT the application subject to conditions and a S106 Agreement to secure an affordable housing unit.

(The Committee adjourned for a short break from 4.40pm to 5pm)

Item No. 5

Application No. 17/00067/FUL

Site Location: Courtney House, 14 Van Diemen's Lane, Lansdown, Bath BA1 5TW – Erection of detached dwelling with associated underground parking, drainage and hard and soft landscaping following demolition of existing dwelling

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

The registered speaker spoke in favour of the application.

Councillor Appleyard noted that the main recommended reason for refusal was the depth of the building. He felt that this was a subjective matter and noted that as there were already a variety of house designs in the road that it was in keeping with the area. He moved that planning permission be granted subject to conditions. This was seconded by Councillor Kew.

Councillor Jackson noted that the proposal was contrary to policy D2, the NPPF and the Placemaking Plan and therefore felt that permission should be refused.

Councillor Kew did not feel that the development was excessive and did not believe that it would cause significant harm. He did not feel that it would be unacceptable to the visual impact and, on balance, felt that the proposal was reasonable.

The Group Manager explained that the deep plan form was the reason the application was being recommended for refusal. The footprint was considered too large for the site. The development would also affect the amenity of the neighbouring properties, in particular no. 13, as the wall would be very near to this property.

The motion was then put to the vote and it was RESOLVED by 7 votes in favour and 3 against to DELEGATE TO PERMIT the application subject to conditions.

Item No. 6

Application No. 16/05632/FUL

Site Location: Cleveland Bath, Cleveland Row, Hampton Row, Bathwick, Bath – Restoration of historic open-air public swimming pool and associated facilities

Item No. 7

Application No. 16/05633/LBA

Site Location: Cleveland Bath, Cleveland Row, Hampton Row, Bathwick, Bath

– Internal and external alterations for restoration of historic open–air public swimming pool and associated facilities

The Case Officer reported on the application and his recommendation to grant planning permission and listed building consent. He explained that the pool had been unused for two decades and was the earliest surviving example of its kind in the country.

The registered speakers spoke for and against the application.

Councillor Fiona Darey spoke against the application stressing that further consultation was required with neighbours.

In response to a question the Case Officer explained that there was no car parking provision in the application. Sustainable travel such as walking and cycling would be promoted by the travel plan.

Councillor Jackson queried how realistic the figure of 36,000 users per annum was. She also asked whether there was sufficient access for emergency vehicles to the site. The Case Officer explained that there would be access from the street for emergency vehicles.

Councillor Kew stated that he would like to see the pool brought back into use but had some concerns about the access pointing out that not all people would walk to the pool.

Councillor Appleyard stated that on balance he supported the officer recommendation and noted that there was no issue from the Council's highway consultation response on the applications. He also noted that there appeared to have been a lack of consultation with the local residents. He hoped that the Cleveland Pools Trust and the local residents would now have a dialogue to resolve any issues of concern. He had faith in the Trust to drive the project forward and felt that the project would avoid the risk of losing a national asset. Councillor Appleyard then moved that planning permission and listed building consent be granted subject to conditions. This was seconded by Councillor Roberts.

Councillor Veale stated that he was not happy with the proposal or the lack of consultation with residents and felt that the applicants should be asked to reconsider.

The Group Manager clarified a number of planning points including the statutory consultation requirements.

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

- (1) by 6 votes in favour, 2 votes against and 2 abstentions to PERMIT the planning application subject to the conditions set out in the report; and
- (2) by 6 votes in favour and 4 abstentions to GRANT listed building consent subject to the conditions set out in the report.

Item No. 8**Application No. 16/06062/FUL**

**Site Location: Closed Public Toilets, Claverton Street, Widcombe, Bath –
Erection of 2 storey office building following demolition of existing former WC
block**

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

The registered speakers spoke in favour and against the application.

Councillor Gilchrist, local ward member, spoke against the application.

Councillor Becker stated that he felt the toilet block should have been demolished some time ago and welcomed the site being brought back into practical use.

Councillor Jackson asked whether a bat survey had taken place. Officers confirmed that a survey had shown negligible bat presence on the site.

Councillor Kew felt that it was not feasible to simply grass over the site and that it had to be brought back into use. He moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Becker.

The motion was put to the vote and it was RESOLVED by 8 votes in favour, 1 against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

Item No. 9**Application No. 16/01365/FUL**

**Site Location: Hillside Garage, 243 Englishcombe Lane, Southdown, Bath –
Erection of 3 new dwellings following demolition of 11 lock-up garages**

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

The registered speakers spoke for and against the application.

Councillor Dine Romero, local ward member, spoke against the application.

Councillor Crossley stated that the area was very small and that the adjacent local Tesco store was very busy. There were no clear pavement lines to the pathway. He felt that the development would represent a loss of amenity to the local neighbourhood. Councillor Crossley then moved that planning permission be refused for the following reasons:

- Loss of amenity to neighbouring properties (due to the overbearing nature of the development)
- Highway safety reasons including conflict with pedestrian movements and the inability of large vehicles to access the site safely
- Overdevelopment of the site

The motion was seconded by Councillor Jackson.

The motion was then put to the vote and it was RESOLVED by 7 votes in favour, 1 vote against and 2 abstentions to REFUSE the application for the reasons set out above.

Item No. 10

Application No. 16/06234/FUL

Site Location: Eastwick Farm, Wick Lane, Stanton Wick, Bristol, BS39 4BX – Replacement Barn Dwelling (Retrospective)

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

The registered speaker spoke for the application.

Councillor Karen Warrington, local ward member, spoke in favour of the application.

The Group Manager explained that prior approval was given for the conversion of the existing barn within the site under Class Q (then Class MB) of the General Permitted Development Order. However, the frame of the building had not been strong enough to sustain the conversion. If officers had been aware that the building was not strong enough to sustain the conversion then approval would not have been granted.

Councillor Appleyard felt that this was a grey area as it appeared to be a genuine misunderstanding and prior approval had been given for conversion.

Councillor Kew stated that the circumstances were unfortunate and, although the applicant should have spoken to officers when the barn collapsed the end result would still be the same.

Councillor Kew then moved that the Committee delegate to permit the application subject to conditions on the basis that there were very special circumstances to make a decision contrary to greenbelt policy for the following reasons:

- The unusual circumstances and planning history of the site.
- The applicant was a retired farmer who had lived on the site for many years and would be homeless if the development could not go ahead.

This was seconded by Councillor Appleyard.

Councillor Jackson pointed out that there was no agricultural connection to the use of the property. It therefore represented a new dwelling in the greenbelt which was against government policy.

The Group Manager explained that approval for development in the greenbelt required very special circumstances and without good reasons, there was a risk of challenge. If the Committee was minded to approve the application then this would need to be advertised as a departure from the development plans. Prior approval did not allow for reinforcement of buildings prior to an application being lodged.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 against to DELEGATE TO PERMIT the application subject to conditions for the

reasons set out above.

(Note: At this point Councillors Appleyard, Crossley and Kew left the meeting)

Item No. 11

Application No. 16/05505/FUL

Site Location: 10 Entry Hill, Combe Down, Bath, BA2 5LZ – Erection of 1 dwelling (Revised proposal)

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

The registered speakers spoke for and against the application.

Councillor Mark Shelford, local ward member, spoke against the application.

Councillor Roberts felt that the access to the site was substandard and moved that the application be refused as it would be detrimental to the amenities of the neighbouring properties and for highway safety reasons. This was seconded by Councillor Jackson who agreed that the access was inappropriate.

Councillor Becker noted that the revised proposal provided two parking spaces and that the total living space was the same as the previous proposal.

Councillor Veale pointed out that planning permission had been granted for the previous application even though it provided no parking spaces. Councillor Roberts explained that her concerns were linked to traffic movement in and out of the site.

The motion was put to the vote and there were 3 votes for and 4 votes against. The motion was therefore LOST.

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

The motion was put to the vote and it was RESOLVED by 4 votes in favour and 3 votes against to PERMIT the application subject to the conditions set out in the report.

(Note: At this point Councillor Jackson left the meeting).

Item No. 12

Application No. 16/06196/FUL

Site Location: 100 North Road, Combe Down, Bath, BA2 5DJ – Erection of a single storey side extension to provide disabled facilities and access into the extension

Item No. 13

Application No. 16/06197/LBA

Site Location: 100 North Road, Combe Down, Bath, BA2 5DJ – Erection of a single storey side extension to provide disabled facilities and access into the extension

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

The registered speakers spoke in favour of the applications.

Councillor Cherry Beath, local ward member, spoke in favour of the applications.

In response to a question the Case Officer confirmed that the objection to the application was concerning the access and door.

Councillor Veale stated that the flat roof would provide protection to the building and that the door simply permitted access from one part of the building to the other.

Councillor Matthew Davies moved that the Committee delegate to permit the application and to grant listed building consent subject to conditions on the grounds that the door was not harmful to the character of the listed building. This was seconded by Councillor Becker.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the planning application and to GRANT listed building consent subject to conditions on the grounds that the door is not harmful to the character of the building.

(Note: At this point Councillor Jackson returned to the meeting).

Item No. 14

Application No. 17/00417/FUL

Site Location: Land and Buildings to rear of 1-7 High Street, Mill Hill, Wellow, Bath – Conversion of former farm buildings to form 1 dwelling with associated works. (Resubmission with revisions of 14/01866/FUL)

Item No. 15

Application No. 17/00413/LBA

Site Location: Land and Buildings to rear of 1-7 High Street, Mill Hill, Wellow, Bath – Internal and external alterations to facilitate conversion of former barn buildings to 1 dwelling (Resubmission with revisions of 14/01867/LBA)

The Case Officer reported on the application and her recommendation to permit the application and to grant listed building consent. She explained that there had been amendments to the following conditions:

- Condition 4 - amended to read to “bespoke trigger”
- Condition 8 – amended to read “pre-occupancy” rather than “pre-compliance”
- Condition 13 (LBA) – amended to read “bespoke trigger”

She also explained that a bat survey had now been submitted and that an additional condition had been added regarding access.

The registered speakers spoke for and against the application.

Councillor Veale noted that this was a large site and proposed a site visit. This was not seconded.

Councillor Jackson moved that planning permission and listed building consent be granted with conditions. This was seconded by Councillor Matthew Davies.

The motion was put to the vote and it was RESOLVED unanimously:

- (1) To PERMIT planning permission and to GRANT listed building consent subject to conditions.

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

The Committee considered the appeals report.

RESOLVED to **NOTE** the report.

The meeting ended at 8.05 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 5th April 2017

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

ITEM

ITEMS FOR PLANNING PERMISSION

**Item No.001 Application No. 16/06124/FUL
Address: 14 Audley Grove, Lower Weston, Bath, BA1 38S**

Further representations have been received as detailed below:

Objections have been received from the owners/occupiers of 37, 43 and 45 Edward Street, 15 and 15B Audley Grove and 30 and 49 Audley Park Road, the content of which is summarised below:

- Dispute the ownership of the strip of land at the rear of Nos. 12, 13 and 14 Audley Grove and contend that this land is owned by the Highways Department;
- This land should be protected as a public amenity and in the interests of improved pedestrian visibility and public safety;
- There is a 11000 volt electrical cable on this land leading from a sub-station at the lower end of Edward Street up to Audley Park Road;
- Concerns regarding structural integrity of the highway on Edward Street from retaining structures;
- The Highways Department have a legal responsibility to improve visibility of highways land and remove incorrectly positioned fencing;
- Nos. 15, 15A and 16 Audley Grove were not notified of the planning application by the Planning Department ;
- Site notices were not displayed as required;
- Additional documents have been submitted to support the planning application which have not been consulted on. The application should be withdrawn;
- Dispute the status of the strip of land between the application site and Nos. 15 and 15a Audley Grove;
- Dispute the position of a public right of way between Audley Grove and Edward Street in relation to Nos. 14, 15 and 15a Audley Grove;
- Concerns regarding impact on 15 Audley Grove through loss of light, visual impact, loss of views and overlooking;
- Construction of the proposed dwelling would deter new tenants renting 15 Audley Grove with financial implications for the landlord;
- Concerns regarding increased demand for on-street parking;

- Concerns regarding highways impacts, Edward Street is not lightly trafficked as asserted in the application submission;
- The proposed development would set a precedent;
- Developing the garden would have an adverse environmental impact;
- The site is in a high radon area, what protective measures are included in the build design?
- Concerns regarding potential impact on water mains;
- Concerns regarding the gradient of the parking spaces and water run off to the highway;
- Concerns regarding proposed planting scheme and impact on land stability from new trees and removal of existing Sycamore;
- Disruption to the area during construction;
- Surprised and disappointed that the pond in the garden of 14 Audley Grove has been allowed to go dry. Toads, frogs, newts and slow worms are found in the area.

A Title Plan has been provided demonstrating that the strip of land at the rear of 14 Audley Grove which has been included within the red site boundary line is within the ownership of the applicant. It is noted that the land in question is shown on the Highways Department's records as being part of the public highway. However, this does not mean that the land is owned by the Highways Department or that the land is not in the ownership of the applicant.

The existing position of the rear fence line continues the fence line to the south. In planning terms, it is not considered that the existing and proposed position of the rear fence panels causes unacceptable harm to the character, appearance or amenity of the area. The issue regarding the rear strip of land is therefore a land ownership dispute, which is a civil matter and not a material planning matter.

As per the Highways Consultation response dated 30th December 2016, no highway safety issues are posed by the proposed development.

There is no record of a public right of way running within the application site. Public Right of Way CQ29 is marked as running from Edward Street to Audley Grove to the north of the application site between Nos. 15 and 15a Audley Grove and the application site boundary, although a note is attached to the record stating that this path is obstructed.

In regards to the presence of an electrical cable close to the site and potential presence of a water main, it is the developer's responsibility to ensure all necessary permissions are in place prior to works commencing in addition to obtaining planning permission.

One site notice was displayed on Audley Grove and one site notice was displayed on Edward Street on 6 January 2017 in accordance with the Council's statutory duties for development in a conservation area. Photographs were taken of the site notices as a visual record.

As set out in the main agenda, minor changes have been made to the proposals during the course of the application to retain a Sycamore tree and to slightly reposition the northern retaining wall to the parking area away from the root protection area of the tree. Whether or not to re-consult third parties it is at Officers' discretion. In this case it was not considered that the level of changes warranted additional notifications, nor that the amendments amounted to a new form of development that would necessitate a fresh application.

The potential impact of a proposal on a private individual's finances is not a material planning consideration.

Given the site characteristics and the incline of the proposed parking area, surface water run-off to the highway is not considered to pose a significant issue.

The site is not in an area of known land contamination for planning purposes. There are no planning policy requirements pertaining to radon levels. Any new building would need to meet all relevant building standards set out in Building Regulations legislation.

Potential structural impact on neighbouring land and property is a private property matter and not a material planning consideration.

The remaining points raised are considered to be addressed in the Officer's report in the main agenda.

The additional comments received do not affect the Officer's assessment and recommendation included in the main agenda.

Item No. 1 Application No. 16/04818/ERE03 & 16/04818/REG13
Address: Bath Quays South, Lower Bristol Road

Following publication of the Committee report BMT (prospective occupiers of the new office building) have advised the Council that they do not intend to proceed with this investment.

In the light of this decision, the public benefits of the proposed development have been re-appraised and weighed against the harm to heritage assets. In considering the public benefits, some weight had been given BMT occupying the building, both as a key local employer being retained in the city (with the potential to expand) as well as the fact that they are in a key sector. However, the application was not predicated on BMT occupying the building and the development will continue to deliver Grade A office accommodation, of which there is very limited supply in the city. As is noted in the published committee report, the net addition to office accommodation and growth in employment in the city had BMT occupied the building would have been relatively low. The eventual occupier of the building is not known however if the occupier(s) were new to Bath, rather than being the relocation of an

existing business as was the case with BMT, this would make a net addition to employment in the city.

The change in circumstances has been considered as part of the balancing exercise as set out in NPPF para. 134 and it is concluded that the public benefits of the development outweigh the harm to heritage assets.

The financial appraisal submitted with the application made a number of assumptions about the rent and yield that could be achieved on the office building and about residential sales values. This was reviewed and tested by Cushman Wakefield who concluded that the development could not support affordable housing at this point in time. Given the inability of the scheme to support affordable housing, the published committee report recommended consideration of a review mechanism to reassess scheme viability at a future date. In the light of the change in circumstances it is considered appropriate that this is undertaken for the scheme as a whole. The timing of this would need to be agreed and could be on submission of reserved matters for the residential building or at some other future date when actual costs and values have been established.

Recommendation

In the light of the above it is recommended that the Development Committee resolves to Delegate to Permit subject to Officers finalising a financial review mechanism to be secured through condition or memorandum of understanding.

Further Representations

3 further letters of objection have been received (from SAVE Britain's Heritage, Bath Heritage Watchdog and a local resident). These reiterate objections made previously regarding the proposed development and that the amendments do not address these objections; object to the scale and outline nature of the proposals for the residential buildings and that the Design Guide does not address concerns regarding the scale and detailed design of these buildings; raise concerns regarding the cumulative effect of new proposals on the World Heritage Site; object to the fact that the applications for the new bridge were determined ahead of rather than with the applications for Bath Quays South as they are linked proposals.

1 further letter of general support has been received.

Updated Comments from the Ecological Officer

The bat roost within the Newark building is confirmed as a transitory roost for a single lesser horseshoe bat. This roost will be lost as part of the development and a replacement roost is proposed. A European Protected Species (EPS) licence will be therefore required and the Local Planning Authority must be satisfied prior to issuing permission that the 'three tests' of the Habitats Regulations are likely to be met.

Test 1 - Does the development meet a purpose of preserving public health or public safety or other imperative reasons of overriding public interest including

those of a social or economic nature and beneficial consequences of primary importance to the environment?

The site is identified in the Placemaking Plan as a key redevelopment site within the city and will result in the provision of office space and housing, both of which will provide benefits of a significant social and economic nature.

There can therefore be said to be imperative reasons of overriding public interest and as such Test 1 can be considered to be passed.

Test 2 There is no satisfactory alternative.

The removal of the roosts is necessary to allow refurbishment and re-use of a listed building, and for the full development of the site in accordance with the Placemaking Plan vision for this site. In this context it is considered that there is not any satisfactory alternative and it is considered that the requirement of Test 2 is met.

Test 3 - The action authorised will not be detrimental to the maintenance of the population of the species.

The application provides details of the proposed new roost, supporting habitat and lighting controls around the roost. This provides sufficient information for the Local Planning Authority to be confident that the proposal would be likely to meet the third tests of the Habitats Regulations, ie that there will be no harm to the favourable conservation status of the affected species (lesser horseshoe bats) and that the proposal would be likely to obtain an EPS licence.

Final details of the bat mitigation and compensation scheme can be secured by condition.

The river and adjacent habitat are recognised as providing supporting habitat for the Bath and Bradford on Avon Special Area of Conservation (SAC). As such, development must demonstrate no likely significant effect upon the SAC. The additional measures now proposed to reduce light spill from the office, which include use of 1m high fully opaque spandrel rails for the first floor office windows and 40 % light transmittance glazing for the office riverside, have secured significant reductions in light spill to the riverside such that no significant effect upon the SAC either alone or in combination with other projects are considered likely. In addition light spill avoidance measures have been modelled for the residential blocks involving use of 50% light transmittance glazing. These show that acceptable light levels can be achieved (as modelled for Vertical D within the Illumination Impact Profile 16-02433-09317-CC-Bath Quays South Ilp-01-P3 March 2017 Final issue), and that no significant effect upon the SAC either alone or in combination with other projects are considered likely. Therefore, subject to full implementation of the light spill mitigation measures now proposed for the office building, and delivery of the light spill performance for the residential development, the scheme would not raise concerns under the Habitats Regulations.

Amended Conditions

6 Construction Management Plan

Prior to any works on site including demolition details of a Construction Management Plan for all works of construction shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan

shall include details of the location of the site compound and details of deliveries (including storage arrangements and timings), contractor parking, traffic management for vehicles associated with the construction and demolition works (including details of mitigation from vehicle emissions). The Management Plan shall also comply with the guidance contained in the Council's Code of Construction Site Noise practice note and the BRE Code of Practice on the control of dust from construction and demolition activities. The details so approved shall be fully complied with during the construction of the development.

Reason: To ensure the safe operation of the highway and protect the amenities of the occupants of nearby properties in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local Plan.

12 Archaeology WSI

No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with the submitted Written Scheme of Investigation (Cotswold Archaeology CA Project: 6087, Revision B March 2017). The programme of archaeological work shall be carried out by a competent person and completed in accordance with the Written Scheme of Investigation.

Reason: The site is within an area of significant archaeological interest and the Council wish to protect and record any archaeological remains disturbed by the development.

13 – deleted as field evaluation complete

14 The development shall not be brought into use or occupied 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 may produce significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

27 Wildlife Protection and Enhancement (Pre-commencement)

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

- (i) A timetable of delivery to show implementation of the recommendations and mitigation measures set out in the Combined Ecology Report: Bath Quays South (Nicholas Pearson Associates, December 2016 Update: 8 Feb 2017) including:
 - an ecological method statement for site works

- replacement otter holt and habitat enhancements prior to demolition of the existing resting site, proposed conservation management objectives for the otter holt site, and;
 - new bat roost structure and tile and ridge access points to achieve a net enhancement in bat roosting opportunities on the site
 - bankside habitat replacement and enhancements
- (ii) Prescriptions and timescale for their on-going monitoring, maintenance and management

All works within the scheme shall be carried out in accordance with the approved details.

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.

28 Lighting (Office)

The office building shall not be occupied until the mitigation measures for that building set out in Illumination Impact Profile -Bath Quays South (Office and Residential Developments) 16-02433-090317-CC-Bath Quays South IIP-01 - P3 MARCH 2017 Final Issue have been implemented in full and shall remain for the duration of the development.

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

29 Lighting (Residential Buildings)

Reserved Matters for the residential buildings shall be accompanied by full details of proposed light spill avoidance measures, lighting design and specification. The scheme shall:

- (i) Provide an updated lighting assessment to include details of predicted light spill levels onto the river Avon and adjacent bankside habitats arising from proposed external and internal lighting of the buildings. Predicted light spill levels will need to achieve as a maximum the light lux levels shown in the River Avon Vertical cross section 'D' in Illumination Impact Profile -Bath Quays South (Office and Residential Developments) 16-02433-090317-CC Bath Quays South IIP-01 -P3 MARCH 2017 to demonstrate sufficient darkness to avoid harm to bat activity and to the ecology of the River Avon SNCI.
- (ii) Provide details and plans showing inherent and embedded design solutions for internal light spill mitigation; and numbers, specifications, positions, and heights of luminaires for external light spill mitigation; designed to minimise impacts on bats and other wildlife and achieve the necessary levels of darkness over the water and bankside.

The approved details shall be implemented in full and shall remain for the duration of the development.

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

30 Lighting Monitoring Scheme

Prior to occupation of the office or residential buildings on the site a programme for monitoring of operational light spill levels, including the collection of lux level data for two years from the date of first occupation of each building, at times when peak bat activity and light usage coincide, shall be submitted to and approved by the Local Planning Authority.

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 coincident with the light spill levels predicted in the approved Illumination Impact Profile -Bath Quays South (Office and Residential developments) - 16-02433- 090317-cc-Bath Quay South IIP-01-P3 March 2017, and in respect of the residential buildings the details approved under Condition 29. The Light Spill Monitoring Programmes shall include proposed reporting dates to the Local Planning Authority and specify timescales and frequency of monitoring.

In the event that operational light spill levels exceed the predicted light spill levels a scheme of further mitigation and remedial action shall be submitted to the Local Planning Authority in accordance with the agreed programme. Any necessary remedial action or further mitigation required shall be implemented in accordance with specifications and timescales to be agreed in writing with the Local Planning Authority and a further light spill monitoring report shall be produced and approved in writing by the Local Planning Authority 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 avoid unacceptable light spill from the development and to avoid harm to wildlife and bats which are protected species.

16/04818/REG13

Revised Conditions

4 Prior to occupation of any part of the Newark Works buildings (East Machine Shop, Offices, Smithy, West Machine Shop) a Signage Design Code for those buildings shall be submitted to and approved in writing by the Local Planning Authority and any signage applied for thereafter shall be carried out in accordance with the Code.

Reason: To safeguard the character and appearance of the listed building

5 External lighting and signage (Bespoke Trigger)

No external lighting or signage shall be installed on the Newark Works buildings until full details of external lighting or signage have been submitted to and approved in writing by the Local Planning Authority. The works shall

thereafter be carried out in accordance with the approved details and any other consent required.

Reason: To safeguard the character and appearance of the listed building.

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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 5 APRIL 2017

A. SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	14 Audley Grove, Lower Weston, Bath, BA1 3BS	Peter Harrell	Against (To share 3 minutes)
		Steven James	
		Andrea Marshall (Applicant)	For (To share 3 minutes)
		Chris Beaver (Agent)	
		Cllr Chris Pearce	Against
2	3 Streamside, Chew Magna, BS40 8QZ	Simon Corbett (Agent)	For
		Cllr Liz Richardson	For

B. MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1 & 2	Bath Quays South Development Site, Riverside Business Park, Bath	Judy Enticknap (JME Conservation Ltd)	Against (To share 6 minutes)
		Caroline Kay (Bath Preservation Trust)	
		Ian Bell (Bath Chamber of Commerce and Initiative in B&NES)	For (To share 6 minutes)
		Greg Pemoyre (Architect)	
3	40 Bloomfield Park, Bath, BA2 2BX	George Howard	Against
		Kit Stokes (Applicant)	For
		Cllr Mark Shelford	Against

4	Agricultural Haulage Building and Yard, Pinkers Farm, Middle Street, East Harptree	Sally Calverley	Against (To share 3 minutes)
		Mick Underhill	
		Representative from BBA Architects (Agent)	For
		Cllr Tim Warren	Against
5	Courtney House, 14 Van Diemen's Lane, Lansdown, Bath, BA1 5TW	Tom Rocke (Agent)	For
6 & 7	Cleveland Bath, Cleveland Row, Hampton Row, Bath	Charles Draper (Chair of local Residents' Association)	Against (To share 6 minutes)
		Chris Curran (on behalf of Neighbours of Cleveland Pool)	
		Dennis Toogood (President of Bath Dolphins Swimming Club)	For (To share 6 minutes)
		Christopher Heath	
		David Barnes (Agent)	
		Councillor Fiona Darey	Against
8	Closed Public Toilets, Claverton Street, Widcombe, Bath	Yvonne Whiteman	Against (To share 3 minutes)
		Rachel and Mark Hambury (Applicants)	For (To share 3 minutes)
		Cllr Ian Gilchrist	Against
9	Hillside Garage, 243 Englishcombe Lane, Bath	Kevin Simmonds	Against
		Simon Chambers (Agent)	For
		Cllr Dine Romero	Against
10	Eastwick Farm, Wick Lane, Stanton Wick	Lee Wright (Agent)	For
		Cllr Karen Warrington	For

11	10 Entry Hill, Combe, Combe Down, Bath, BA2 5LZ	Russell Walker	Against
		Richard Harlow (Agent)	For
		Cllr Mark Shelford	Against
12 & 13	100 North Road, Combe Down, Bath	Jan Symons (Applicant)	For
		Cllr Cherry Beath	For
14 & 15	Land and Buildings to rear of 1-7 High Street, Mill Hill, Wellow	Councillor Debbie Clarkson (Wellow Parish Council)	N/A
		Chris Watt (Applicant)	For

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BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

5th April 2017

SITE VISIT DECISIONS

Item No:	001		
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		

DECISION Delegate to permit subject to amended plan being received moving the rear fence line to the west.

Item No:	002		
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:	7th April 2017		
Case Officer:	Samantha Mason		

DECISION REFUSE

1 The proposal constitutes inappropriate development within the Green Belt. The proposal is therefore contrary to saved policies GB.2 and HG.15 of the Bath and North East Somerset Local Plan, including minerals and waste policies, adopted October 2007, Core Strategy Policy CP.8, emerging Placemaking Plan Policies GB.1 and GB.3, and guidance in the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans:

02 Dec 2016 Location Plan
16 Mar 2017 200 REV 1 Revised Site Layout
02 Dec 2016 Sca 1607 005 Rev0 Proposed Floor Plan
02 Dec 2016 Sca 1607 006 Rev0 Proposed Roof Plan
02 Dec 2016 Sca 1607 007 Rev0 Proposed Elevations

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

5th April 2017

DECISIONS

Item No:	01	
Application No:	16/04818/ERE03	
Site Location:	Bath Quays South Development Site, Riverside Business Park, Westmoreland, Bath	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Reg03 app with EIA attached	
Proposal:	Mixed-use development of land bounded by Lower Bristol Road, Riverside Court, River Avon and Maritime House with vehicular access via Riverside Road and Lower Bristol Road comprising:	
(1) Detailed Application for the erection of an office building (Use Class B1 - 5,017sqm GIA), change of use of and alterations to Newark Works and adjacent buildings to provide Creative Employment Workspace (Use Class B1, A1, A3, D1, D2, - 4,539sqm GIA, non-B1 uses not more than 10% of the total floor area).		
(2) Outline Application (Access, Layout and Scale to be approved) for the erection of building(s) to accommodate up to 5,027sqm of residential accommodation (up to 60 no of units, Use Class C3), and up to 193sqm GIA of retail space (Use Class A1, A2 or A3).		
Associated development comprising demolition of existing buildings, provision of new public realm, landscaping and infrastructure works.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Article 4, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Contaminated Land, Flood Zone 2, Flood Zone 3, Forest of Avon, Sites with Planning Permission, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, Site Of Special Scientific Interest (SI), SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Bath And North East Somerset Council	
Expiry Date:	30th January 2017	
Case Officer:	Gwilym Jones	

DECISION Delegate to permit subject to a scheme viability review mechanism and amendments to conditions.

Item No:	02		
Application No:	16/04819/REG13		
Site Location:	Bath Quays South Development Site, Riverside Business Park, Westmoreland, Bath		
Ward: Widcombe	Parish: N/A	LB Grade: N/A	
Application Type:	Regulation 13 Application		
Proposal:	Internal and external alterations to Newark Works (including West Machine Shop and Smithy) and demolition of Foundry and Boiler House.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Article 4, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Contaminated Land, Flood Zone 2, Flood Zone 3, Forest of Avon, Sites with Planning Permission, 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:	30th January 2017		
Case Officer:	Gwilym Jones		

DECISION Delegate to permit subject to conditions

Item No:	03	
Application No:	16/05772/FUL	
Site Location:	40 Bloomfield Park, Bloomfield, Bath, Bath And North East Somerset	
Ward: Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of eight apartments with associated parking and landscaping following demolition of existing detached house and garage (Resubmission)	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Juniper Homes (South West) Limited	
Expiry Date:	20th January 2017	
Case Officer:	Chris Griggs-Trevarthen	

Defer for site visit – to allow Members to understand the context of the site.

Item No:	04	
Application No:	16/04249/FUL	
Site Location:	Agricultural Haulage Building And Yard, Pinkers Farm, Middle Street, East Harptree	
Ward: Mendip	Parish: East Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Demolition of Agricultural buildings and erection of 8no dwellings	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas,	
Applicant:	The Johnson Group	
Expiry Date:	21st April 2017	
Case Officer:	Chris Griggs-Trevarthen	

DECISION Delegate to PERMIT subject to applicant entering into S106 agreement.

Item No:	05	
Application No:	17/00067/FUL	
Site Location:	Courtney House , 14 Van Diemen's Lane, Lansdown, Bath	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of detached dwelling with associated underground parking, drainage and hard and soft landscaping following demolition of existing dwelling	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Mr Nick Sandy	
Expiry Date:	3rd 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 (Bespoke Trigger)

The development hereby approved shall be constructed in the materials annotated on the approved plans.

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 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.

5 Bound/Compacted Turning Space (Pre-occupation)

No occupation of the development shall commence until the vehicular access, parking and turning areas have been constructed with a bound and compacted surface material (not loose stone or gravel).

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

PLANS LIST:

This decision is based on the following drawings and information:

D100-01 Existing Location and Block Plan, D100002B Existing Site Plan, D10003 Existing Floor Plans, D10004 Existing Loft and Roof Plan, D10005A Existing Sections AA & BB, D10006A Existing Elevations, D100007B Existing Site Sections, D10012G Proposed Site Plan, D10013M Proposed Ground Floor Plan, D10014L Proposed First Floor Plan, D10015D Proposed Roof Plan, D10016D General Section, D10017G Proposed Site Sections, D10018F Proposed North and South Elevations, D10019F Proposed East Elevation, D10020F Proposed West Elevation, 1007 P101 3D View From Front Terrace Area (South East Elevation), 1007 P102 3D View From Van Diemen's Lane (South East), 3D View From Rear Garden (North + East Elevation), Design and Access Statement and Planning Statement received 6/1/2017, WS73/01 Front Garden Layout Plan and WS73/01 Rear Garden Layout Plan received 10/3/2017 and un-numbered Landscape Perspective Drawing received 15/3/2017.

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

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

Item No:	06
Application No:	16/05632/FUL
Site Location:	Cleveland Bath Cleveland Row, Hampton Row, Bathwick, Bath
Ward: Walcot	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Restoration of historic open-air public swimming pool and associated facilities.
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, 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, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Cleveland Pools Trust
Expiry Date:	20th January 2017
Case Officer:	Adrian Neilson

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 External Lighting (Bespoke Trigger)

Lighting for the development hereby permitted shall be installed and operated thereafter so that lux levels fall within the predicted light spill levels shown on the external lighting isoline drawing number CP-HYD-XX-GF-DR-E-2001 Revision PO1 by Hydrock dated 22nd February 2017. Prior to installation of new lighting, full details of proposed lighting

design must be first submitted to and approved in writing by the LPA. These details shall include:

1. Full specifications of proposed lighting including spectral composition and colour temperature of lamps and plans showing numbers, types, positions and heights of lamps
2. A lux contour plan showing predicted light spill levels arising from the proposed lighting scheme, which shall not exceed the predicted lux levels as shown on the approved plan CP-HYD-XXGF- DR-E-2001 Revision PO1 dated 22nd February 2017
3. details of all measures that shall be incorporated into the scheme to minimise light spill onto vegetation and avoid light spill onto adjacent land, thus minimising impacts on bats and other wildlife; for example, through use of: "warm white" LED; directional lighting, baffles and screening; time switches and remote sensors; adherence to specified times of use and use of dimming regimes.

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

Reason: to avoid harm to protected species including bats and reptiles and to avoid harm to existing and retained habitats

4 Wildlife Protection Scheme (Bespoke Trigger)

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

- (i) Findings of all necessary repeat or update surveys and pre-commencement checks for protected species, and/or proposed methods and scope of pre-commencement survey and proposed means of notification of the outcome of these to the LPA, prior to commencement of works.
- (ii) A method statement providing details of all proposed precautionary working methods, protection measures and construction materials necessary for the avoidance of harm to bats and their habitats.
- (iii) Details of a scheme designed to avoid harm to slow-worms and other reptiles, to include details and a mapped site boundary of proposed reptile translocation receptor site/s or provision of suitable retained reptile habitat within the site, as applicable.
- (iv) Proposed monitoring of the translocated rigid hornwort and proposed reporting of monitoring findings.
- (v) Details of all other necessary measures to avoid harm to wildlife and retained habitats and avoidance of harm to adjacent habitats including the River Avon.

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority.

Reason: to avoid harm to protected species including bats and reptiles and to avoid harm to existing and retained habitats.

5 Demonstration of Compliance (Bespoke Trigger)

The development hereby permitted shall be carried out only in accordance with the approved Wildlife Protection Scheme. A report by a suitably experienced ecologist

confirming and demonstrating, through written confirmation and use of photographs, implementation of the each of the measures required by the Scheme shall be submitted to the local planning authority and approved in writing prior to use of the development.

Reason: to demonstrate satisfactory implementation of all necessary measures to avoid harm to ecology and protected species.

6 Flood Emergency Plan (Bespoke Trigger)

No occupation of the development shall commence until a Flood Emergency 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 Emergency 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.

7 Noise Assessment (Bespoke Trigger)

The applicant shall submit a noise assessment to determine the impact arising from the construction and operational phases of the development. The assessment shall make reference to appropriate national guidance and standards and shall propose appropriate methods of noise mitigation. The proposed mitigation measures shall be fully implemented and maintained.

Reason: To protect neighbouring residents from noise arising from the construction and operation of the development.

8 Arboricultural Method Statement with Tree Protection Plan (Bespoke Trigger)

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.

9 Arboricultural Certificate of Compliance (Bespoke Trigger)

No occupation of the development shall commence until a signed certificate of compliance with the Arboricultural Method Statement and tree protection plan 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.

10 Hard and Soft Landscape Scheme (Bespoke Trigger)

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; finished ground levels; a planting specification to include numbers, density, 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.

11 Hard and Soft Landscape Scheme (Bespoke Trigger)

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; finished ground levels; a planting specification to include numbers, density, 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.

12 Landscape Management Plan (Bespoke Trigger)

No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority in consultation with the Environment Agency.

The scheme shall include the following elements:

- o detail extent and type of new planting
- o details of maintenance regimes
- o details of any new habitat created on site
- o details of treatment of site boundaries and/or buffers around water bodies
- o details of management responsibilities

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

13 Flood Risk Assessment (Bespoke Trigger)

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

- 1) Inclusion of all resistance/resilience measures detailed within section 6.3 of the FRA.
- 2) Toilet and storage block in the north east corner must be of a floodable design and not adversely affect flood flows.

The mitigation measures shall be fully implemented prior to occupation and maintained for the lifetime of development unless otherwise agreed in writing, by the local planning authority in consultation with the Environment Agency.

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

14 Flood Safety and Occupation of Cottage (Compliance)

The onsite accommodation cottage shall only be used as accommodation ancillary to the use of the pools. The ancillary accommodation shall not be occupied until such time as the high level walkway has been installed providing access/egress to higher ground.

Reason: Self-contained residential accommodation is inappropriate in this area and to allow for safe access/egress to occupants during times of flood.

15 Floodplain Compensation Storage (Bespoke Trigger)

No development shall take place until a scheme for the provision of floodplain compensation storage has been submitted, and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The operation of the scheme shall thereafter be carried out in accordance with the approved details.

Reason: To prevent any increase in flood risk elsewhere as a result of this development.

16 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.

PLANS LIST:

CPT 1000A, CPT 1001A, CPT 1002A, CPT 1003A, CPT 1200A, CPT 1201A, CPT 1202A, CPT 1203, CPT 2001A, CPT 2002A, CPT 2003B, CPT 2004A, CPT 2005A, CPT 2006A, CPT 2200, CPT 2201A, CPT 2202, CPT 2203, CPT 2501, CPT 3200, CPT 3201, CPT 3202, CPT 3203, CPT 3204, CPT 3205, CPT 3206, CPT 3207, CPT 3208, CPT 3209, CPT 3210, CPT 3220, CPT 3800, CPT 3900, CPT 3901, CPT 3902, CPT 4000(1), AQUATIC VEGETATION SURVEY, BAT DETECTOR SURVEY, BAT SEARCH SURVEY, PHASE ONE HABITAT SURVEY, REPTILE SURVEY, RIGID HONWORT TRANSLOCATION, CONSERVATION MANAGEMENT PLAN, DESIGN AND ACCESS STATEMENT, HERITAGE STATEMENT, PLANNING STATEMENT, TRAVEL PLAN, PROJECT DEVELOPMENT AND COMMUNITY ENGAGEMENT and CONSERVATION MANAGEMENT PLAN GAZETTEER date stamped 17 November 2016.

C151598 5001 B, C151598 5002 B, CPT 2000B, CPT 2500A, CPT 3221A, CPT 3222A, 181/4050/2, DIA.174_REV.4, CONSTRUCTION OPTIONS and OPERATING STATEMENT date stamped 20 February 2017.

CP-HYD-XX-GF-DR-E-2001 Rev P01 date stamped 22 February 2017.

CP-HYD-XX-ZZ-DR-M-4000 and CP-HYD-XX-ZZ-DR-ME-9000, CONSTRUCTION ACCESS OPTIONS PLAN, EMERY CONSTRUCTION MANAGEMENT PLAN, ACCESS OPTIONS, CPT 3223A and email correspondence date stamped 16 March 2017.

DECISION TAKING STATEMENT

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

Environment Agency Informative

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 the River Avon, 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>.

Under the terms of the Water Resources Act 1991, an Abstraction Licence may be required from the Environment Agency for the abstraction of water from any inland water or underground strata. This is dependent on water resource availability and may not be granted.

Item No:	07
Application No:	16/05633/LBA
Site Location:	Cleveland Bath Cleveland Row, Hampton Row, Bathwick, Bath
Ward: Walcot	Parish: N/A LB Grade: N/A
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Internal and external alterations for restoration of historic open-air public swimming pool and associated facilities
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, 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, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Cleveland Pools Trust
Expiry Date:	18th January 2017
Case Officer:	Adrian Neilson

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

3 External Lighting (Bespoke Trigger)

Lighting for the development hereby permitted shall be installed and operated thereafter so that lux levels fall within the predicted light spill levels shown on the external lighting isoline drawing number CP-HYD-XX-GF-DR-E-2001 Revision PO1 by Hydrock dated 22nd February 2017. Prior to installation of new lighting, full details of proposed lighting design must be first submitted to and approved in writing by the LPA. These details shall include:

1. Full specifications of proposed lighting including spectral composition and colour temperature of lamps and plans showing numbers, types, positions and heights of lamps
2. A lux contour plan showing predicted light spill levels arising from the proposed lighting scheme, which shall not exceed the predicted lux levels as shown on the approved plan CP-HYD-XXGF- DR-E-2001 Revision PO1 dated 22nd February 2017
3. details of all measures that shall be incorporated into the scheme to minimise light spill onto vegetation and avoid light spill onto adjacent land, thus minimising impacts on bats and other wildlife; for example, through use of: "warm white" LED; directional lighting, baffles and screening; time switches and remote sensors; adherence to specified times of use and use of dimming regimes.

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

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

4 Wildlife Protection Scheme (Bespoke Trigger)

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

- (i) Findings of all necessary repeat or update surveys and pre-commencement checks for protected species, and/or proposed methods and scope of pre-commencement survey

and proposed means of notification of the outcome of these to the LPA, prior to commencement of works.

(ii) A method statement providing details of all proposed precautionary working methods, protection measures and construction materials necessary for the avoidance of harm to bats and their habitats.

(iii) Details of a scheme designed to avoid harm to slow-worms and other reptiles, to include details and a mapped site boundary of proposed reptile translocation receptor site/s or provision of suitable retained reptile habitat within the site, as applicable.

(iv) Proposed monitoring of the translocated rigid hornwort and proposed reporting of monitoring findings.

(v) Details of all other necessary measures to avoid harm to wildlife and retained habitats and avoidance of harm to adjacent habitats including the River Avon.

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority.

Reason: to avoid harm to protected species including bats and reptiles and to avoid harm to existing and retained habitats.

5 Demonstration of Compliance (Bespoke Trigger)

The development hereby permitted shall be carried out only in accordance with the approved Wildlife Protection Scheme. A report by a suitably experienced ecologist confirming and demonstrating, through written confirmation and use of photographs, implementation of the each of the measures required by the Scheme shall be submitted to the local planning authority and approved in writing prior to use of the development.

Reason: to demonstrate satisfactory implementation of all necessary measures to avoid harm to ecology and protected species.

6 Archaeology - Historic Building Recording: Recording of Upper Pool (Bespoke Trigger)

No development or demolition shall commence of the upper pool site, 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.

7 Stone Cleaning Sample (Pre-commencement)

No work shall commence on the stone cleaning until a sample panel has been provided in-situ to establish the final parameters of the stone cleaning and approved in writing by the Local Planning Authority. The approved panel shall be kept on site for reference until

the development is completed. Thereafter the work shall only be carried out in accordance with the approved sample panel.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

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

Prior to the installation and application of internal and external materials and finishes a detailed schedule and samples of the materials and finishes to be used including roofing, rainwater goods, walling including mortar, metalwork, floor surfaces including natural stone and limecrete and paint finishes 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.

PLANS LIST:

CPT 1000A, CPT 1001A, CPT 1002A, CPT 1003A, CPT 1200A, CPT 1201A, CPT 1202A, CPT 1203, CPT 2001A, CPT 2002A, CPT 2003B, CPT 2004A, CPT 2005A, CPT 2006A, CPT 2200, CPT 2201A, CPT 2202, CPT 2203, CPT 2501, CPT 3200, CPT 3201, CPT 3202, CPT 3203, CPT 3204, CPT 3205, CPT 3206, CPT 3207, CPT 3208, CPT 3209, CPT 3210, CPT 3220, CPT 3800, CPT 3900, CPT 3901, CPT 3902, CPT 4000(1), AQUATIC VEGETATION SURVEY, BAT DETECTOR SURVEY, BAT SEARCH SURVEY, PHASE ONE HABITAT SURVEY, REPTILE SURVEY, RIGID HONWORT TRANSLOCATION, TRAVEL PLAN, CONSERVATION MANAGEMENT PLAN, DESIGN AND ACCESS STATEMENT, HERITAGE STATEMENT, PLANNING STATEMENT and CONSERVATION MANAGEMENT PLAN GAZETTEER date stamped 17 November 2016.

OPERATING STATEMENT date stamped 2 February 2017.

181/4050/2, C151598 5001 B, C151598 5002 B, CPT 2000B, CPT 2500A, CPT 3221A, CPT 3222A, CPT 3223A and DIA.174_REV.4, 181/4050/2, CONSTRUCTION OPTIONS, date stamped 20 February 2017.

K & A CANAL NEW BENCHES AND CYCLE PARKING LOCATIONS (TC8762/031) date stamped 2 March 2017.

CP-HYD-XX-GF-DR-E-2001 Rev P01 date stamped 2 March 2017.

CP-HYD-XX-ZZ-DR-M-4000 and CP-HYD-XX-ZZ-DR-ME-9000 date stamped 15 March 2017.

DECISION TAKING STATEMENT

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

Condition Categories

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

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

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

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

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

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

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

Item No:	08	
Application No:	16/06062/FUL	
Site Location:	Closed Public Toilets, Claverton Street, Widcombe, Bath	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2 storey office building following demolition of existing former WC Block.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Article 4, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,	
Applicant:	HamburyHird Design Ltd	
Expiry Date:	14th February 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 (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 statement should include all trees within the site and on the boundary of the site within neighbouring properties whose canopies and/or Root Protection Areas lie within or encroach upon the site or any access routes to it; 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; the burning of materials on site; the location of site office; service run locations including soakaway locations; and the 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 2007 and Policy NE6 of the Bath and North East Somerset draft Placemaking Plan 2015. 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 Tree replacement - off site contribution (Pre occupation)

Prior to the occupation of the development hereby approved the replacement planting of two trees off site shall be secured in line with the details contained in the Bath and North East Somerset Council revised Planning Obligations Supplementary Planning Document, adopted on 6th April 2015 Section 3.5. The level of contributions required shall be set at £735.28 per tree £1,470.56.

Reason - to ensure that the adverse impact of the development proposals on existing off site trees on public land is mitigated through the planting and establishment of replacement tree planting.

4 Nesting Bird Protection (Bespoke Trigger)

No removal of trees hedges or shrubs shall take place between 1st March and 31st August unless a Survey to assess the nesting bird activity on the site during this period and a Scheme to protect the nesting birds has been submitted to and approved in writing by the Local Planning Authority. No tree hedge or shrub shall be removed between 1st March and 31st August other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and prevent ecological harm in accordance with NE.11 of the Bath and North East Somerset Local Plan

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

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

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

6 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.

7 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

14 Dec 2016	188.001	EXISTING LAYOUT & SITE PLAN
14 Dec 2016	188.002	EXISTING ELEV AA, BB, CC
14 Dec 2016	188.050	PROPOSED DEMOLITIONS
14 Dec 2016	188.100	PROPOSED GROUND FLOOR LAYOUT
14 Dec 2016	188.102	PROPOSED ROOF PLAN
14 Dec 2016	188.200	PROPOSED SITE ELEVATION
14 Dec 2016	188.201	PROPOSED FRONT ELEVATION A
14 Dec 2016	188.203	PROPOSED SIDE ELEVATION C
14 Dec 2016	188.204	PROPOSED REAR ELEVATION D
06 Feb 2017	188.101 (A)	PROPOSED FIRST FLOOR PLAN
06 Feb 2017	188.202 (A)	PROPOSED SIDE ELEVATION B

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

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

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.

Condition Categories

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

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

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

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

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

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

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

Item No:	09		
Application No:	16/01365/FUL		
Site Location:	Hillside Garage , 243 Englishcombe Lane, Southdown, Bath		
Ward: Southdown	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 3No. new dwellings following demolition of 11No. lock-up garages.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,		
Applicant:	BHR Properties Limited		
Expiry Date:	7th April 2017		
Case Officer:	Alice Barnes		

DECISION REFUSE

1 The proposed dwellings by reason of their siting, height and design will result in a dominant and overbearing impact to the neighbouring properties within Marsden Road. The development is therefore considered to result in a loss of amenity of the neighbouring occupiers. The proposed development is therefore contrary to policy D.2 of the Bath and North East Somerset Local plan and policy D.6 of the emerging placemaking plan

2 The proposed development by reason of its height, scale and mass is considered to result in overdevelopment of a backland plot resulting in a development which is harmful to the character and appearance of the area. The proposed development is therefore contrary to policy D.2 and D.4 of the Bath and North East Somerset Local plan and policies D.2, D.5 and D.7 of the emerging placemaking plan

3 The proposed development, due to the narrow access road, cannot accommodate large vehicles accessing the site. There is no pavement within the access to the site which will also lead to conflict between pedestrians and vehicles. The development will fail to provide an adequate collection area for waste and recycling. The proposed development

is considered to result in severe harm to highway safety. The development is therefore contrary to policy T.24 of the Bath and North East Somerset Local plan and ST.7 of the emerging placemaking plan.

PLANS LIST:

Site and location plans LA-001
 Existing block plan LA-002
 Existing elevations 1 LA-002
 Existing elevations 2 LA-004
 Proposed site plan LA-005 rev D
 Units 1-3 Ground floor plan LA-006 rev C
 Units 1-3 First floor plan LA-007 rev C
 Units 1-3 Second floor plan LA-008 rev C
 Units 1-3 Front north west elevation LA-009 rev C
 Units 1-3 Rear south west elevation LA-010 rev C
 Units 1-3 Side (north east) elevation LA-011 rev C
 Units 1-3 Side (south west) elevation LA-012 rev C
 Section AA LA - 013 rev C
 Section BB - LA -014 rev C
 Bike storage LA-019
 Proposed site plan LA-020

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The 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 by the members of the development management committee for the reasons given and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	10	
Application No:	16/06234/FUL	
Site Location:	Eastwick Farm , Wick Lane, Stanton Wick, Bristol	
Ward: Clutton	Parish: Stanton Drew	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Replacement Barn Dwelling (Retrospective)	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs Winstone	
Expiry Date:	16th March 2017	
Case Officer:	Alice Barnes	

DECISION Delegate to permit subject to advertisement as a departure.

Item No:	11	
Application No:	16/05505/FUL	
Site Location:	10 Entry Hill, Combe Down, Bath, Bath And North East Somerset	
Ward: Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no.dwelling (Revised proposal)	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Walters Developments	
Expiry Date:	5th April 2017	
Case Officer:	Samantha Mason	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Sample Panel - Walling (Bespoke Trigger)

Notwithstanding the information shown on the submitted plans, the external stone walling shall be natural limestone.

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

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

3 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.

4 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.

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

No development or ground preparation shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The final 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. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, above and below ground service run locations and movement of people and machinery.

Reason: To ensure that the protected 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 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.

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

No development or other operations shall take place except in complete accordance with the approved Detailed Arboricultural Method Statement. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion and prior to the first occupation of the dwelling.

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

7 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; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; 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.

8 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

9 Wildlife Protection and Enhancement Scheme (Compliance)

The development hereby permitted shall be carried out only in accordance with the approved Wildlife Protection & Enhancement Scheme by Oecologic dated January 2017. A suitably experienced ecologist shall carry out a precommencement check of the site immediately prior to the commencement of works; confirmation of this shall be provided by the applicant's ecologist via email to the LPA Ecologist once completed.

Reason: to avoid harm to wildlife including protected species and badger and to provide

10 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, implementation of the approved Wildlife Protection and Enhancement Scheme by Oecologic dated January 2017, in accordance with the specifications and ecological requirements described, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be retained thereafter unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme 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.

11 Surface Water Drainage System (Compliance)

The surface water drainage system shall be built in accordance with the plans submitted with this application (Drawing AH2016/85 and the Surface Water Drainage Strategy (24 January 2017)).

Reason: In the interests of flood risk management

12 Surface Water Drainage System (Compliance)

The homeowner or landowner should be made aware of the surface water drainage system and the required maintenance regime. They should also be advised of the estimated lifespan of the crate attenuation system.

Reason: The surface water drainage system is entirely private and therefore regular maintenance by the private owner is required to ensure the system works as designed.

13 Balcony (Pre-occupation)

The balcony privacy screen on the ground floor of the dwelling hereby approved shall be completed prior to the occupation of the dwelling.

Reason: To prevent overlooking into adjoining properties and in the interest of residential amenities.

14 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the following plans:

03 Feb 2017 Sheet 1 of 4 Existing and Proposed Block Plan and Site Location Plan
03 Feb 2017 Sheet 2 of 4 Proposed Floor Plans and Elevations
03 Feb 2017 Sheet 3 of 4 Existing and Proposed Landscaping Plan
03 Feb 2017 Sheet 4 of 4 Surface Water Flood Plan And Proposed Section

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.

Informative

Any connection to the culverted watercourse must not affect the cross sectional area of the culvert. If works are likely to affect this cross-sectional area (including any temporary works) then the applicant may need to apply for Land Drainage Consent. Details here: <http://www.bathnes.gov.uk/services/environment/lead-local-flood-authority/land-drainageconsent-ordinary-watercourses>

To note that Land Drainage Consent is a separate issue to planning consent.

Drawing AH2016/85 suggests a 'saddle connection' to the culvert. We would much prefer to see a manhole connection to aid maintenance. We believe this would be in the homeowner/ landowner's interest as they are/ will be Riparian Owners for the culverted watercourse running through their land.

Furthermore we recommend that the homeowner/ landowner is made aware of their Riparian responsibilities in terms of the culverted watercourse. We recommend that a copy of 'Living on the Edge' is supplied as part of any welcome pack or similar and that the landowners familiarise themselves with the location and condition of the culverted watercourse through their land. Living on the Edge: <https://www.gov.uk/government/publications/riversideownership-rights-and-responsibilities>

The landowner should be aware that any land raising or modifications to land between the new building and the east boundary could affect the predicted surface water flood flow path and could potentially put the new building or neighbouring buildings at risk. This is also the case for any structures in the area such as fencing or outbuildings such as garden sheds.

Item No:	12	
Application No:	16/06196/FUL	
Site Location:	100 North Road, Combe Down, Bath, Bath And North East Somerset	
Ward: Combe Down	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a single storey side extension to provide disabled facilities and access into the extension.	

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, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Ms Jan Symons
Expiry Date:	7th April 2017
Case Officer:	Chloe Buckingham

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.

PLANS LIST:

This decision relates to;

The Site Location Plan (no ref) received 3rd January 2017.

The Proposed Plans and Elevations (NRD14-C), Joinery Details (NRD15) received 21st December 2016.

The Existing Plans and Elevations (NR10 Rev A) received 14th February 2017.

DECISION TAKING STATEMENT:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The application was considered to be acceptable by the Development Management Committee.

Condition Categories

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

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

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

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

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

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

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

Item No:	13	
Application No:	16/06197/LBA	
Site Location:	100 North Road, Combe Down, Bath, Bath And North East Somerset	
Ward: Combe Down	Parish: N/A	LB Grade: N/A
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Erection of a single storey side extension to provide disabled facilities and access into the extension.	
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, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Ms Jan Symons	
Expiry Date:	7th April 2017	
Case Officer:	Chloe Buckingham	

DECISION CONSENT

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 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 walls 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.

3 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

4 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of the development shall commence until a sample panel of all external walling materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

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

PLANS LIST:

This decision relates to;

The Site Location Plan (no ref) received 3rd January 2017.

The Proposed Plans and Elevations (NRD14-C), Joinery Details (NRD15) received 21st December 2016.

The Existing Plans and Elevations (NR10 Rev A) received 14th February 2017.

DECISION TAKING STATEMENT:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The application was considered to be acceptable by the Development Management Committee.

Condition Categories

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

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

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

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

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

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

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

Item No:	14	
Application No:	17/00417/FUL	
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Full Application	
Proposal:	Conversion of former farm buildings to form 1 no. dwelling with associated works. (Resubmission with revisions of 14/01866/FUL).	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,	
Applicant:	Mr Christopher Watt	
Expiry Date:	12th April 2017	
Case Officer:	Anna Jotcham	

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 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; finished ground levels; a planting specification to include numbers, density, 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.

3 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.

4 Implementation of Wildlife Scheme (Bespoke Trigger)

The development hereby approved shall be implemented only in accordance with the approved Bat Mitigation Scheme version 2 by CTM Wildlife dated 15th December 2016. Within 12 months of occupation of the development hereby approved a report produced by a suitably experienced ecologist (licensed bat worker) confirming and demonstrating, using photographs where appropriate, full implementation of the measures and recommendations of the Wildlife Protection and Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include information to demonstrate that the operational lighting does not exceed the lux levels within the orange and yellow shaded zones shown on the approved Bat Mitigation Scheme Version 2 dated 15th December 2016.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme 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.

5 Removal of Permitted Development Rights - No Windows (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 windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in any elevation at any time unless a further planning permission has been granted.

Reason: To safeguard the 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.

6 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 to safeguard the amenities of the surrounding area in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

7 Removal of Permitted Development Rights - No outbuildings (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 garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of further curtilage buildings requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

8 Disposal of surface water (Pre-occupation)

The development shall not be occupied until details for the disposal of surface water including the means of outfall has been submitted to, and approved in writing by the Local Planning Authority.

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.

9 Parking (Compliance)

The area 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.

10 Garage (Compliance)

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

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

11 Mill Hill access (Compliance)

The access off Mill Hill shown on drawing no. 101 Rev C, received 16 March 2017 shall be used for pedestrian access only.

Reason: In the interests of highway safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

12 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the Bat Mitigation Scheme version 2 by CTM Wildlife dated 15th December 2016; associated bat tube and ridge tile access details received 29 January 2017; drawing nos. 2544-17; W-503-A; W-505-A; W-901-B; W-903; and W904 received on 29 January 2017; and W-101 C; W-502-B; and W-900-C received on 17 March 2017.

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:	15		
Application No:	17/00413/LBA		
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath		
Ward: Bathavon South	Parish: Wellow	LB Grade: II	
Application Type:	Listed Building Consent (Alts/exts)		
Proposal:	Internal and external alterations to facilitate conversion of former farm buildings to 1 no. dwelling. (Resubmission with revisions of 14/01867/LBA).		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,		
Applicant:	Mr Christopher Watt		
Expiry Date:	12th April 2017		
Case Officer:	Anna Jotcham		

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 Materials - repointing (Compliance)

The re-pointing of existing walls hereby approved shall be undertaken in accordance with the approved sample pointing panel previously agreed on site and discharged under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

3 Materials - new walls (Compliance)

Erection of new walls hereby approved shall be undertaken in accordance with the approved sample panel previously agreed on site and discharged under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

4 Structural report (Compliance)

The extension works hereby approved shall be carried out in accordance with the structural report details submitted and approved under application 14/04282/COND issued 22 October 2015.

Reason: To avoid damage to the structural integrity of the listed building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

5 Materials - roof (Compliance)

Re-cladding of the roofs of the listed building shall be undertaken in accordance with the approved clay double roman roof tile sample previously agreed on site and discharged under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

6 External fittings (Bespoke Trigger)

Prior to the fitting of any external vents, gas or electricity meter inspection boxes details of their appearance and location on the buildings shall be submitted to and agreed in writing by the local planning authority.

Reason: To safeguard the character and appearance of the listed buildings in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

7 Materials - Paint finish (Compliance)

External joinery shall be painted and finished in accordance with the letter dated 05/09/2014 and discharged under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

8 Materials - Floors and interior walls (Compliance)

Works on the existing floors and interior walls of the listed building shall be undertaken in accordance with the specification of works included in the letter dated 05/09/2014 and discharged under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

9 Repair works - first floor and roof structure (Compliance)

Repair works to the first floor and roof structure in the stables and the roofs of the barn and forge shall be carried out in accordance with the structural engineer's report submitted and approved under application 14/04282/COND issued 22 October 2015.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

10 Rear timber barn door and glazed screen (Bespoke Trigger)

Prior to the installation of the proposed new rear timber barn door and glazed screen details comprising 1:20 elevations and half sized vertical and horizontal sections and fixing details relating to the glazed screen shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved detail.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

11 Details - gate and railings (Bespoke Trigger)

No installation of the metal gate and railings on the Mill Hill elevation shall commence until appropriately scaled section (1:1 or 1:2) and elevation drawings (1:10) including details of the proposed finish have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan and to safeguard the character and appearance of the Conservation Area in accordance with Policy BH.6 of the Bath and North East Somerset Local Plan.

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

No construction of the external walls and surfaces surrounding the development hereby approved shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces 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: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

13 Implementation of Wildlife Scheme (Bespoke Trigger)

The development hereby approved shall be implemented only in accordance with the approved Bat Mitigation Scheme version 2 by CTM Wildlife dated 15th December 2016. Within 12 months of occupation of the development hereby approved a report produced by a suitably experienced ecologist (licenced bat worker) confirming and demonstrating, using photographs where appropriate, full implementation of the measures and recommendations of the Wildlife Protection and Enhancement Scheme shall be submitted

to and approved in writing by the Local Planning Authority. This shall include information to demonstrate that the operational lighting does not exceed the lux levels within the orange and yellow shaded zones shown on the approved Bat Mitigation Scheme Version 2 dated 15th December 2016.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme 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.

14 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to the Bat Mitigation Scheme version 2 by CTM Wildlife dated 15th December 2016; associated bat tube and ridge tile access details received 29 January 2017; drawings nos. 2544-17; W-102-A; W-503-B; W-504-A; W-505-B; W-506-A; W-901-C; and W-903 received on 29 January 2017; and W-101 D; W-502 C; W-900 D received on 17 March 2017.

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.

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