

## **DEVELOPMENT MANAGEMENT COMMITTEE**

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

Wednesday, 28th June, 2017, 2.00 pm

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

#### **12 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

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

A Vice Chairman was not required on this occasion.

#### **14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Cllr Rob Appleyard - substitute Cllr Neil Butters.

#### **15 DECLARATIONS OF INTEREST**

Cllr David Veale declared an interest in application number 17/00299/OUT – Land between Homelands and 10 Camerton Hill, Camerton - as he is a Camerton School governor and the school is adjacent to the site. He remained in the meeting but took no part in the debate and did not vote.

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

There was no urgent business.

#### **17 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.

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

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

#### **19 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 31 May 2017 were confirmed and signed as a correct record.

## 20 **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) 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. 17/01208/FUL**

#### **Site Location: Avonlea House, Station Road, Freshford, Bath – Erection of single storey side extension**

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

The registered speaker spoke against the application.

Cllr Butters noted that the Parish Council had objected to the application. He then asked a question regarding building up to the boundary of the property and the Case Officer explained that this was permissible and that there was no encroachment onto the neighbouring property.

Officers explained that the issue of maintenance within the void area between the fence and the wall was not a planning consideration.

Cllr Roberts stated that the extension would be overbearing and would have an adverse effect on the neighbouring property. She felt that a volume increase of 28% was too large. She then moved that the application be refused due to the overbearing nature of the extension, the adverse impact on the neighbouring property and the adverse impact upon the character of the Conservation Area. This was seconded by Cllr Butters.

Cllr Jackson supported the motion stating that the general layout including the courtyard garden should be preserved within the Conservation Area. She also felt that a flat roof was out of keeping with the area. There would be loss of amenity to the neighbouring property.

Cllr Kew did not feel that this application would have a great impact, particularly if the floor level was reduced so that the roof would not be higher than the existing.

Members discussed the floor level, suggesting that it would be better if it were lower, which would reduce the impact and suggested adding a condition to that effect. The Team Manager – Development Management explained that the Committee had to consider the application before it and that if members wished the floor level to be lowered then they should defer the application to enable officers to discuss this further with the applicant.

The motion was then put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to REFUSE the application due to the overbearing nature of the extension, the adverse impact on the neighbouring property and the adverse impact upon the character of the Conservation Area.

## **Item No. 2**

### **Application No. 17/00299/OUT**

**Site Location: Land between Homelands and 10 Camerton Hill, Camerton, Bath – Outline planning application for the erection of 1 single storey dwelling (Resubmission)**

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

The registered speakers spoke for and against the application.

In response to a question from Cllr Jackson the Case Officer confirmed that the site was not within the green belt. She also confirmed that the application was for one single storey dwelling.

Cllr Jackson queried whether this was a sustainable location as local bus services in the area had recently been substantially reduced.

Cllr Kew noted that there had been a great deal of correspondence from neighbours objecting to the proposal, however, he could see no planning reasons to refuse the application. He noted that the speed limit had now been reduced on Camerton Hill. He then moved that the application be approved subject to conditions. This was seconded by Cllr Organ.

In response to a query from Cllr Butters regarding access to the site, the Legal Team Leader explained that any access disputes should be resolved outside of the planning process – the committee was advised to concentrate on the planning merits of the application.

The motion was put to the vote and it was RESOLVED by 7 votes for, 2 votes against and 1 abstention to APPROVE the application subject to the conditions set out in the report.

## **Item No. 3**

### **Application No. 16/05845/FUL**

**Site Location: East Barn, Whitecross Farm, Bristol Road, West Harptree – Conversion of an existing barn to office accommodation (Use Class B1)**

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

The registered speakers spoke for and against the application. A statement from

West Harptree Parish Council against the application was also read out.

In response to a question the Case Officer explained that 3 parking spaces would be provided at the front of the property.

Cllr Jackson did not feel that the application would have a significant highways impact and noted that the highways officer had raised no objection.

Cllr Kew felt that this was a good building which fitted in well with the local environment. The access road, although on a bend, was not too problematic for one building. He then moved that the application be permitted. This was seconded by Cllr Becker.

Cllr Organ was opposed to this application. He felt that the access road was dangerous as it was located on a bend and there was inadequate turning space. The site was also outside the village boundary and within an Area of Outstanding Natural Beauty. He also stated that if the application were permitted then the hours of occupation should be specified. He felt that a mixed occupation of business and residential property was not a good idea.

The Team Manager – Development Management confirmed that there were conditions proposed to specify the basis upon which permission was recommended to be granted. She also confirmed that Condition 11 referred to specific site opening times.

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

## 21 **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. 17/01453/FUL**

**Site Location: Parcel 5400, Fosseway South, Midsomer Norton – Erection of 20 dwellings, associated infrastructure, vehicular access points from existing estate road network, parking and landscaping**

The Case Officer reported on the application and his recommendation for approval.

The registered speaker spoke for the application.

Cllr Jackson explained that Westfield Parish Council had objected to this application with the main objection being road safety. If the application were approved then the Parish Council would like a contribution from the developer towards the provision of a crossing and road safety measures. She also felt that the design of the houses were out of keeping with the area as they were three storey. More modest homes were needed in this area. It was unfortunate that no care home provider could be found for the site.

Councillor Crossley pointed out that a large site was usually required to ensure the viability of a care home development. He felt that the application was suitable for the area and moved that the Committee delegate to permit the application. This was seconded by Councillor Kew.

The Highways Officer explained that this proposal would generate less traffic than the previous one. She also pointed out that a developer contribution of £87k had already been made towards the provision of a toucan crossing in this area.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to the conditions set out in the report and the prior completion of a Section 106 Agreement to secure the matters set out in the officer's report.

## **Item No. 2**

### **Application No. 17/00847/RES**

**Site Location: Land at Rear of 161 to 171 Englishcombe Lane, Southdown, Bath – Approval of reserved matters in relation to outline application 16/01018/OUT (Erection of a maximum of 8 dwellings at Land to Rear of 1610171 Englishcombe Lane) regarding scale, layout, appearance and landscaping of the site**

The Case Officer reported on the application and her recommendation for approval. She informed the Committee that since the agenda was published there had been one further objection relating to access, the increase in traffic, overlooking and being detrimental to the World Heritage Site. She informed the Committee that officers suggested that members could include an additional condition to prevent the flat roofs being used as terraces.

The registered speakers spoke for and against the application.

Cllr Dine Romero spoke against the application on behalf of the local ward member, Cllr Will Sandry.

In response to a question the Case Officer explained that the Committee's decision was limited to the reserved matters listed above and that this did not include the access arrangements. She also informed members that conditions relating to wildlife and conservation issues had been included in the original consent. It was advised that the properties ranged from 3 to 5 bedrooms.

Cllr Crossley stated that this was important green space in an urban community. He noted that the original consent had been granted under officer delegated powers. He felt that the proposal was unacceptable being on a busy road, of poor design and with poor access. He moved that the application be refused for reasons of overdevelopment, poor design and materials, and the impact on the World Heritage Site. The Team Manager – Development Management advised the committee that a decision by officers or members was a Council decision and there was no difference between the two. As there was an outline approval granted, matters of principal and the access could not form reasons for refusal, and any reasons put forward should relate to the reserved matters application under consideration.

Cllr Jackson seconded the motion, agreeing that the design was poor and that the materials were inappropriate.

Cllr Becker stated that he felt the design was inappropriate and out of keeping with the neighbouring properties.

The motion was then put to the vote and it was RESOLVED unanimously to REFUSE the application due to overdevelopment, poor design and materials and the adverse impact of the development on the World Heritage Site.

(Note: At this point Cllr Roberts left the meeting).

### **Item No. 3**

#### **Application No. 16/06140/FUL**

**Site Location: 30 Flatwoods Road, Claverton Down, Bath, BA2 7AQ – Erection of 2 dwellings, internal access drive and landscaping at rear of existing dwelling**

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

The registered speakers spoke for and against the application.

Cllr Bob Goodman, local ward member, spoke against the application.

In response to a question the Highways Officer explained that there was space for two vehicles to pass at the driveway entrance and that there was also a passing bay. She was satisfied that emergency vehicles would be able to gain access.

In response to a question regarding one of the trees on the site the Case Officer explained that tree T6 was on the applicants' land and would be removed and showed the trees on the plan. Any land dispute was a civil matter and not a planning matter.

Councillor Organ moved that a decision be deferred pending a site visit to allow members to understand the context of the site. This was seconded by Cllr Kew.

The motion was then put to the vote and it was RESOLVED to DEFER consideration of the application pending a SITE VISIT.

(At this point Cllr Roberts returned to the meeting).

**Item No. 4****Application No. 17/01031/OUT**

**Site Location: Chris Madden Cars, 85 Bristol Road, Whitchurch, BS14 0PS – Outline application for the erection of 4 terraced 3 storey town houses and 6 semi-detached 2.5 storey houses following demolition of existing car showroom**

The Case Officer reported on the application and his recommendation for approval. He informed the Committee that he had received a further objection from a neighbouring business owner raising concerns about the inadequate parking provision on the site which he felt was likely to lead to an increase in on street parking in neighbouring side roads. He also raised health and safety concerns due to the possibility of emergency vehicles having problems with access in the future due to this development.

Cllr Kew then moved that permission be granted subject to conditions. This was seconded by Cllr Crossley.

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

**Item No. 5****Application No. 17/01581/FUL**

**Site Location: 22 Uplands Road, Saltford, BS31 3JJ – Erection of a single storey dwelling and garage**

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

The registered speaker spoke in favour of the application.

Cllr Francine Haeberling, local ward member, spoke in favour of the application.

Cllr Butters noted that the Parish Council had raised no objection to the proposals.

Cllr Organ felt that the site was large and that there was adequate space for the dwelling. He moved that consideration of the application be deferred pending a site visit. This motion was not seconded.

Cllr Matthew Davis moved that permission be granted subject to conditions as the development was not out of character with the local area and would not be detrimental to neighbouring properties. This was seconded by Cllr Organ.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to DELEGATE TO PERMIT the application subject to conditions.

**Item No. 6****Application No. 17/01411/FUL**

**Site Location: 10 Stonehouse Lane, Combe Down, Bath, BA2 5DW – Three storey side extension and garage to include demolition of existing single storey side extension, partial demolition of existing garage, minor changes to rear ground floor fenestration of existing main house and front landscaping**

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

The registered speaker spoke for the application.

Cllr Bob Goodman, local ward member, spoke in favour of the application.

In response to a question the Case Officer confirmed that the proposal would mean that the property would have 6 bedrooms.

Cllr Kew stated that he found the plans confusing and moved that consideration of the application be deferred pending a site visit to enable the Committee to better understand the street scene in this location. This was seconded by Cllr Jackson.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 1 against and 2 abstentions to DEFER consideration of the application pending a SITE VISIT.

**Item No. 7**

**Application No. 17/01316/FUL**

**Site Location: Willow Glade, 17 Scobell Rise, High Littleton, BS39 6JY –  
Erection of detached bungalow on land at 17 Scobell Rise and erection of  
detached garage for existing dwelling (Revised Scheme)**

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

Cllr Kew stated that this application would be in keeping with the area as there was already a mixture of different types of housing. The plot was large and was located within the housing development boundary. He moved that permission be granted subject to conditions. This was seconded by Cllr Matthew Davies.

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

**Item No. 8**

**Application No. 17/00163/FUL**

**Site Location: Stonedge Cottage, Stoneage Lane, Tunley, Bath – Alterations to  
raise the wall to the same level as the neighbour's wall, including the existing  
panel fence (Resubmission)**

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

The registered speaker spoke in favour of the application.

In response to a question the Case Officer explained that the site was not within a Conservation Area but was within the greenbelt.

Cllr Kew felt that the wall made a positive impact on the village aspect and was not out of place. Cllr Crossley and Cllr Organ also felt that the wall enhanced the area.

The Team Manager, Development Management explained that according to the



NPPF the development did not comprise appropriate development in the greenbelt as it was disproportionate. If members wished to permit the application they should be clear about any special circumstances that apply. She explained that the Committee could make a judgement on the proportionality of the proposal as the application would constitute a 50% volume increase which is normally far above the increases usually permitted.

Cllr Crossley then moved that consideration of the application be deferred pending a site visit to enable the Committee to fully view the impact of the proposal in the greenbelt. Cllr Kew seconded the motion.

The motion was then put to the vote and it was RESOLVED by 9 votes in favour and 1 abstention to DEFER consideration of the application pending a SITE VISIT.

#### **Item No. 9**

##### **Application No. 17/01436/FUL**

**Site Location: Manor House, Battle Lane, Chew Magna, BS40 8PT – Erection of new security fence on western boundary**

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

The registered speaker spoke in favour of the application.

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

In response to a question the Case Officer explained that the application was for temporary permission to be ongoing until there was a resolution to the problems with the derelict former school buildings adjacent to the site. These buildings had been subject to vandalism, fires and decay. A condition could be put in place to ensure that permission expired within three years or when the derelict buildings were demolished, whichever is the sooner.

Cllr Organ noted that the reasons for the request to put up a security fence were security, health and safety and to protect the Grade II\* listed building.

Cllr Kew moved that officers be delegated to confirm that the fence proposed was structurally sound and to negotiate planting arrangements and then permit the application for a temporary period of three years, or when the school buildings are demolished whichever is the sooner, in accordance with the condition suggested by the Case Officer, and any other necessary conditions. This was seconded by Cllr Jackson.

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

#### **Item No. 10**

##### **Application No. 17/01965/FUL**

**Site Location: 1 Wellow Lane, Peasedown St John, Bath, BA2 8JQ – Erection of single storey side extension with replacement garage and widened driveway access following demolition of existing garage**

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

Councillor Karen Walker had submitted a statement in support of the application which was read out at the meeting.

In response to questions the Case Officer informed the Committee that the property was a Grade II listed building and that a mix of materials were proposed in the construction that did not match the existing building.

Cllr Kew moved that permission be refused for the reasons set out in the report. This was seconded by Cllr Organ.

The motion was then put to the vote and it was RESOLVED unanimously to REFUSE the application for the reasons set out in the report.

## 22 **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 6.05 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**Date**

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

**ITEM**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
003	16/05845/FUL	East Barn,Whitecross Farm

An additional letter has been received from a neighbour of the development discussing the proposed conditions attached to the report.

The main points raised were:

- Wording and scope of conditions
- The need for additional conditions.

The concerns of the neighbour in regard of the proposed conditions have already been addressed in the report that is before committee.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
01	17/01453/FUL	Parcel 5400, Fosseway South, Midsomer Norton

A verification report for remediation works that have already been undertaken on the site has been submitted and reviewed by the Contaminated Land Officer. They have accepted the findings of the report and as a result there is no longer a requirement for the submission of a verification report.

**Condition 4** is therefore removed from the recommendation.

A construction management plan has also been submitted and reviewed. The submitted construction management plan is acceptable and will ensure the safe operation of the highway and protect residential amenity during construction.

**Condition 2** is therefore amended to the following:

## 2. Construction Management Plan (Compliance)

The development hereby approved shall be undertaken in accordance with the 'Environmental Management System and Construction Management Plan' (Barratt Bristol, Issue date: March 2017).

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 and policy ST7 of the Placemaking Plan.

Item No.	Application No.	Address
01	17/01208/FUL	Avonlea House, Station Road, Freshford, Bath, BA2 7WQ

Updated volume calculations have been provided:

Existing property:  
West Wing - 262.42cu.m  
East Wing - 182.58cu.m  
Outbuilding - 73.92cu.m  
**Total** - 518.92cu.m

Proposed extension - 144.64cu.m

This gives a volume increase of 28%

Previously it was thought that the original property was 449.5cu.m with the proposal being 135.85cu.m (a 30% increase). Whilst the volume has altered slightly the result is that the extension is still considered an appropriate addition within the Greenbelt and is in line with planning policy.

Item No.	Application No.	Address
02	17/00299/OUT	Land Between Homelands and 10 Camerton Hill, Camerton, Bath

Multiple correspondences have been received from a neighbour and previous objector to the application following the deferral from the May committee. No additional issues have been raised that have not already been addressed in the officer report. The main issues raised again are questioning the land ownership, right of access and the correct application certificate. As outlined in the officer report the access is acceptable in planning terms, land ownership and legal right to use it is a legal matter that is for the applicant to ascertain. In this respect it is not for the council to adjudicate over the legal use of land, the LPA is concerned with the planning merits of the case.

<b>Item No.</b>	<b>Application No.</b>	<b>Address:</b>
<b>09</b>	<b>17/01436/FUL</b>	<b>Manor House, Battle Lane, Chew Magna, Bristol, BS40 8PT</b>

The very special circumstances put forward and referred to in the main committee report have been considered in detail but it is considered that safety reasons could apply to many other cases where people wish to erect fences within the Green Belt and therefore cannot be regarded as very special in this case. It must also be highlighted that there is no evidence that the Manor House itself has been broken into or vandalised. Therefore the security fence is proposed in response to a perceived threat which again is not considered to be a very special circumstance.

It should also be emphasised that whilst there is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area, there is also a duty placed on the Council under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.

Whilst it is considered that the proposal would have harm to the character and appearance of the listed building and the conservation area, this harm is considered to be less than substantial. Therefore, in accordance with Paragraph 134 of the NPPF this harm must be weighed against the public benefits of the scheme. In this case the aim of the proposal is to provide security fencing along the western boundary. Whilst the poor state of the buildings is acknowledged, the perceived security threat has been considered and it has been concluded that this would not comprise public benefits required to justify the harm to the setting of the listed building and the conservation area. Evidence has been submitted of a number of occasions when the school buildings have been broken into and vandalised. However, it is considered that as the fencing is only proposed around the western boundary of the site, the increased security of the site and therefore public benefit would be negligible.

Therefore the proposal harms the setting of the grade II\* listed building and this part of the Chew Magna Conservation Area. The justification of the proposal in terms of very special circumstances and public benefit is deemed insufficient and therefore the proposal is considered contrary to paragraphs 132 and 134 of the NPPF (2014), Policies BH.2 and BH.6 of the Bath and North East Somerset Local Plan (2007) and Policy HE.1 of the draft Placemaking Plan.

This page is intentionally left blank

## 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 28 JUNE 2017

A. SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	Avonlea House, Station Road, Freshford, Bath	Mr Arbaney	Against
2.	Land between Homelands and 10 Camerton Hill, Camerton, Bath	Cllr Tony Fry (Camerton Parish Council)	Against
		Graeme Mellis	Against
		Owen Pike (Agent)	For
3.	East Barn, Whitecross Farm, West Harptree	West Harptree Parish Council (Statement submitted)	Against
		Jon Mitchell	Against
		Karen Howe (Agent)	For

B. MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1.	Parcel 5400, Fosseyway South, Midsomer Norton	Kate Holden (Barratt Homes)	For
2.	Land at Rear of 161 to 171 Englishcombe Lane, Southdown, Bath	Leilani Lea	Against
		Simon Ellis (Applicant)	For
		Cllr Dine Romero (on behalf of Cllr Will Sandry)	Against
3.	30 Flatwoods Road, Claverton Down, Bath, BA2 7AQ	Shelia Brewis	Against

		Chris Beaver (Agent)	For
		Cllr Bob Goodman	Against
5.	22 Uplands Road, Saltford, BS31 3JJ	Tom Rocke (Agent)	For
		Cllr Francine Haeberling	For
6.	10 Stonehouse Lane, Combe Down, Bath, BA2 5DW	David Mills (Agent)	For
		Cllr Bob Goodman	For
8.	Stonedge Cottage, Stoneage Lane, Tunley, Bath	Chris Bramwell-Pearson (Applicant)	For
9.	Manor House, Battle Lane, Chew Magna, BS40 8PT	Chris Beaver (Agent)	For
		Cllr Heather Montague (Chew Magna Parish Council)	For
		Cllr Liz Richardson	For



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

**28th June 2017**

**SITE VISIT DECISIONS**

<b>Item No:</b>	001		
<b>Application No:</b>	17/01208/FUL		
<b>Site Location:</b>	Avonlea House, Station Road, Freshford, Bath		
<b>Ward:</b>	Bathavon South	<b>Parish:</b>	Freshford
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single storey side extension		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Ms Sarah Lynott		
<b>Expiry Date:</b>	2nd June 2017		
<b>Case Officer:</b>	Samantha Mason		

**DECISION REFUSE**

1 The proximity of the proposal to the neighbouring boundaries and the height of the extension above the boundary walls is considered to result in an overbearing impact on the neighbours residential amenity and is contrary to policy D.2 of the Bath and North East Somerset Local Plan (including Minerals and Waste policies) adopted October 2007 and Draft Placemaking Plan policy D6.

2 The proposed extension by reason of its size and location would fail to preserve or enhance the character of the Conservation Area. This would be contrary to Policy BH.6 of the Bath and North East Somerset Local Plan (including Minerals and Waste policies) adopted October 2007 and Draft Placemaking Plan policy HE.1.

**PLANS LIST:**

This decision relates to the following plans:

13 Mar 2017 Ah.3. Site Location Plan  
13 Mar 2017 Ah.5. Block Plan  
13 Mar 2017 Ah.4. Proposed Plans

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 by the Development Management Committee, who voted to refuse the application. In considering whether to prepare a further application the applicant's attention is drawn to the reasons for refusal.

<b>Item No:</b>	002		
<b>Application No:</b>	17/00299/OUT		
<b>Site Location:</b>	Land Between Homelands And 10, Camerton Hill, Camerton, Bath		
<b>Ward:</b> Bathavon West	<b>Parish:</b> Camerton	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Outline Application		
<b>Proposal:</b>	Outline Planning Application for the erection of 1no. single storey dwelling (Resubmission).		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Primary School Purpose, Public Right of Way, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mrs Brenda Sandy-Miles		
<b>Expiry Date:</b>	2nd June 2017		
<b>Case Officer:</b>	Samantha Mason		

## **DECISION    APPROVE**

### **1 Outline Time Limit (Compliance)**

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

### **2 Reserved Matters (Pre-commencement)**

Approval of the details of the access, appearance, scale, layout and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

### **3 Reserved Matters Time Limit (Compliance)**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

### **4 Plans List (Compliance)**

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

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

### **5 Levels and Heights (Pre-commencement)**

No development shall commence until details, including elevations, of the proposed ridge heights/finished floor levels/eaves heights/slab levels in relation to Homelands, Camerton Hill have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt and to clarify the finished height of the development to accord with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan. This is a condition precedent because the ridge heights/finished floor levels/eaves heights/slab levels have the potential to affect the overall appearance of the development in the street scene. Therefore these details need to be agreed before work commences as they could not easily be amended after.

### **6 Hard and Soft Landscaping (Pre-occupation)**

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

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

### **7 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.

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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.

### **9 Water Efficiency (Compliance)**

The approved dwelling shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

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

### **10 Water Efficiency - Rainwater Harvesting (Pre-occupation)**

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

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

### **11 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.

### **12 Wildlife Protection and Enhancement (Pre-occupation)**

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme produced by a suitably experienced ecologist have been submitted to and approved in writing by the local planning authority. These details shall include mapped findings of an ecological survey, and findings of any necessary other further surveys for example reptile survey findings; detailed proposals and specifications for all necessary wildlife protection and mitigation measures, to include, as applicable, provision of fenced exclusion zones around retained habitat; proposed precautionary methods of working; method statement to avoid harm to reptiles, as applicable; details of all proposed habitat provision and specifications for provision of additional features, habitats and native species planting, to benefit wildlife. All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with saved policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

### **PLANS LIST:**

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.

This decision relates to the following plans/documents:

### **Condition Categories**

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

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

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

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

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

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

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

The Public Rights of Way Team requests that the following be applied:

1) The Applicant must be able to demonstrate that the proposed vehicular access to the development will be lawful. Without this, any purchasers of the proposed properties may be committing an offence every time they drive along the footpath.

2) Care must be taken when using mechanically-propelled vehicles on a footpath. Motorists must give way to pedestrians.

<b>Item No:</b>	003	
<b>Application No:</b>	16/05845/FUL	
<b>Site Location:</b>	East Barn, Whitecross Farm, Bristol Road, West Harptree	
<b>Ward:</b> Mendip	<b>Parish:</b> West Harptree	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Conversion of an existing barn to office accommodation (Use Class B1)	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Flood Zone 2, Greenbelt, LLFA - Flood Risk Management, SSSI - Impact Risk Zones, Water Source Areas,	
<b>Applicant:</b>	Mr Clive Setter	
<b>Expiry Date:</b>	30th June 2017	
<b>Case Officer:</b>	Martin Almond	

## **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 Personal Permission (Compliance)**

The planning permission hereby approved is for the sole benefit of Mr Clive Setter and the building shall only be used as an office within Use Class B1a. If the use hereby approved ceases the use of the building shall revert to its former lawful use (barn, Class Sui Generis).

Reason: The development hereby approved is only acceptable in this location because of the nature of the business undertaken by the applicant. Further consideration of any new or alternative business would be required by the Local Planning Authority due to potential impact on residential amenity and highway safety.

### **3 Highways - Parking (Compliance)**

The areas allocated for parking and turning on the submitted plan (6198-101E dated as received 23 March 2017) 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 Wildlife Protection and Enhancement (Pre-occupation)**

Within 6 months of the date of this permission full details of a Wildlife Compensation and Enhancement Scheme shall be submitted to and approved in writing by the local planning authority. These details shall include:

- (i) proposals for provision of bat habitat and roosting provision to re-instate bat roosting opportunities to the site,
- (ii) nesting provision as recommended in section 4.6 of the approved Bat and Bird Scoping Survey dated March 2017 by Crossman Associates; and (iii) other features to benefit wildlife, including new planting, where opportunities exist.

The scheme shall be produced by a suitably experienced ecologist and shall show all proposed measures, and specifications for their numbers, positions, heights, materials and fixings, as applicable, to scale on a plan. 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. The works shall be carried out prior to the occupation of any part of the development.

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

Reason: To avoid net loss of biodiversity and to provide biodiversity gain in accordance with NPPF and policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

#### **5 Implementation of Wildlife Scheme (Pre-occupation)**

Within 2 months of the implementation of the recommendations of the Wildlife Protection and Enhancement Scheme a report shall be produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, and submitted to the Local Planning Authority for approval.

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.

#### **6 Delivery Hours (Compliance)**

No vehicular deliveries shall arrive, be received or despatched from the site outside the hours of:

Monday to Friday 08:00 - 18:30  
Saturday 09:00 - 13:00

No vehicular deliveries shall arrive, be received or despatched on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

#### **7 Obscure Glazing (Compliance)**

The proposed rooflights in the roof of the south-west elevation of the building shall be obscurely glazed. Thereafter the rooflights shall be permanently retained as such.

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

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

The proposed window in the south elevation of the building shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

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

#### **9 Restriction on access lane parking (Compliance)**

The passing place/field entrance located at the northern end of the access road (between the gardens of Stratford House and Stratford Cottage) and the access road shall not be used for vehicle parking and shall be kept clear of obstruction at all times.

Reason: To ensure access to the site and adjoining residents is unimpeded in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

#### **10 Removal of permitted development rights (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), and notwithstanding the Town and Country Planning (General Permitted Development Order) 2015 as amended, (or any order revoking and re-enacting that Order with or without modification) the premises shall be used only for B1a (Office) and for no other purpose in Class B of the schedule to that Order.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.

#### **11 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 building hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority because of the possible impact upon Green Belt, Area of Outstanding Natural Beauty, residential amenity and highway safety.



## **12 No Residential Occupation (Compliance)**

There shall be no residential occupation within the building or on any part of the site at any time.

Reason: Residential occupation could have an adverse impact on the amenities of adjoining residents and would require planning permission in its own right.

## **13 Plans List (Compliance)**

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

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

### **PLANS LIST:**

This decision relates to drawings 6198-102C and site location plan dated as received 30th November 2017 and drawings 6198-101E and 6198-103B dated as received 23rd 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto:planning_registration@bathnes.gov.uk). Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

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

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

**28th June 2017**

**DECISIONS**

<b>Item No:</b>	01		
<b>Application No:</b>	17/01453/FUL		
<b>Site Location:</b>	Parcel 5400, Fosseway South, Midsomer Norton,		
<b>Ward:</b> Midsomer Norton Redfield	<b>Parish:</b> Midsomer Norton	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 20 no. dwellings, associated infrastructure, vehicular access points from existing estate road network, parking and landscaping		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	BDW Trading Ltd		
<b>Expiry Date:</b>	28th September 2017		
<b>Case Officer:</b>	Chris Griggs-Trevarthen		

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

<b>Item No:</b>	02	
<b>Application No:</b>	17/00847/RES	
<b>Site Location:</b>	Land At Rear Of 161 To 171, Englishcombe Lane, Southdown, Bath	
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	PI Permission (ApprovalReserved Matters)	
<b>Proposal:</b>	Approval of reserved matters in relation to outline application 16/01018/OUT (Erection of a maximum of 8no. dwellings at Land to Rear of 161-171 Englishcombe Lane) regarding scale, layout, appearance and landscaping of the site.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Crossman Land Ltd	
<b>Expiry Date:</b>	30th June 2017	
<b>Case Officer:</b>	Alice Barnes	

**DECISION** REFUSE

1 The proposed development by reason of its height, scale and mass is considered to result in a visually cramped development which is considered to be overdevelopment of the plot. 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 and D.5 of the emerging placemaking plan

2 The proposed development by reason of siting, scale and materials will result in a design which does not accord with the character of the surrounding area. The proposed development will encroach into an existing green hillside which is harmful to the character of the World Heritage Site. The proposed development is therefore contrary to Policy B1 of the Core Strategy policies D.2 and D.4 Bath and North East Somerset Local plan and policies D.2, D.5 and HE1 of the emerging placemaking plan

#### **PLANS LIST:**

Site location plan P300  
Detailed Access Plan P301  
Site layout plan 1000 rev B  
Existing site sections P1001 rev B  
Plot 1 P1010 rev D  
Plot 2 1020 rev D  
Plot 3 1030 rev F  
Plot 4 1040 rev D  
Plot 5 1050 rev D  
Plot 6 1060 rev D  
Plot 7 and 8 rev D  
Topographical survey  
Landscape plan P1003 rev C  
Existing and proposed site section 1004 rev A  
Existing and proposed layout plan 1005 rev A

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 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.

<b>Item No:</b>	03		
<b>Application No:</b>	16/06140/FUL		
<b>Site Location:</b>	30 Flatwoods Road, Claverton Down, Bath, Bath And North East Somerset		
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 2 no. dwellings, internal access drive and landscaping at rear of existing dwelling.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Article 4, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Ashford Homes (South Western) Ltd.		
<b>Expiry Date:</b>	28th July 2017		
<b>Case Officer:</b>	Alice Barnes		

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

<b>Item No:</b>	04		
<b>Application No:</b>	17/01031/OUT		
<b>Site Location:</b>	Chris Madden Cars, 85 Bristol Road, Whitchurch, Bristol		
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Outline Application		
<b>Proposal:</b>	Outline application for the erection of 4no terraced 3 storey town houses and 6no semi-detached 2.5 storey houses following demolition of existing car showroom.		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Local Shops, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Tradex Development Ltd		
<b>Expiry Date:</b>	2nd June 2017		
<b>Case Officer:</b>	Chris Gomm		

**DECISION PERMIT**

### **1 Outline Time Limit (Compliance)**

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

## **2 Reserved Matters Time Limit (Compliance)**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

## **3 Reserved Matters (Pre-commencement)**

Approval of the details of the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

4 Notwithstanding the approved plans, revised details in respect of the colour applied to the render facing the dwelling houses hereby approved shall be submitted to and approved in writing by the local planning authority prior to the application of any external render to the development hereby approved. The development shall be undertaken in accordance with the details so approved.

Reason: The application of multi-coloured render is not appropriate in this location.

## **5 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.

## **6 Dwelling Access (Compliance)**

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

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

7 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.

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

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

Reason: to avoid harm to protected species (bats and nesting birds)

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

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

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

10 No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human

health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

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

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

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

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

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

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

Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers,



neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

13 On completion of the development but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise. The following levels shall be achieved: Maximum internal noise levels of 35dBLAeq,16hr and 30dBLAeq,8hr for living rooms and bedrooms during the daytime and night time respectively. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To minimise the impact of noise on future occupants.

14 Prior to the installation of any surface water infrastructure within the development site the following information shall be submitted to and approved in writing by the local planning authority:

- o Assessment of infiltration rates ideally from onsite testing to BRE Digest 365 standards. Alternatively an estimate based on desktop study can be used but will need to be proven by onsite testing to BRE Digest 365 standard prior to construction;
- o Soakaway calculations demonstrating the required surface water attenuation volume to accommodate the 1in100+climate change event. If soakaways are designed to the CIRIA standards then an appropriate factor of safety is to be used;
- o Plans showing full details of drainage design demonstrating that the required attenuation volume can be accommodated within the development;
- o Maintenance details (covering the lifetime of the development)

The surface water drainage system shall be installed and subsequently maintained in accordance with the details so approved.

Reason: To ensure that the site is served by an adequate system of surface water drainage.

15 The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

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

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

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

17 Prior to first occupation, all of the dwellings hereby approved shall be provided with superfast broadband (24Mbps+) infrastructure to enable superfast broadband provision. In the event that the provision of such infrastructure would render the development unviable, evidence to that effect shall be submitted to and approved in writing by the local planning authority prior to first occupation. Should that viability evidence be approved in writing by the local planning authority no superfast broadband infrastructure will subsequently be required. Furthermore should said viability evidence be approved in writing by the local planning authority, alternative solutions shall instead be provided in accordance with details which shall be submitted to and approved in writing by the local planning authority prior to first occupation.

Reason: To facilitate the provision of superfast broadband in accordance with Policy LCR7B of the Placemaking Plan. Alternative solutions may include for example mobile broadband infrastructure or Wi-Fi infrastructure.

18 The development hereby approved shall incorporate sufficient renewable energy generation such that carbon emissions from anticipated (regulated) energy use in the development shall be reduced by at least 10%, unless it can be demonstrated to the local planning authority's satisfaction that meeting this requirement would render the development unviable. Should it be accepted by the local planning authority that meeting the 10% reduction is unviable, the maximum percentage that is viable shall instead be achieved.

Details shall be submitted to and approved in writing by the local planning authority, prior to first occupation, demonstrating how the 10% reduction (or agreed lower percentage) will be achieved. The approved renewable energy infrastructure shall be installed and shall be fully operational prior to first occupation of the development hereby approved. Where renewable energy installations will materially affect the external appearance of the development/building, the details submitted pursuant to this condition shall include drawings of said installations.

Reason: To ensure that the development's carbon emissions (from anticipated regulated energy use) are reduced by at least 10% by means of sufficient renewable energy generation, in accordance with Policy SCR1 of the Bath & North East Somerset Placemaking Plan.

### **19 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:**

The following are the plans hereby approved:

- o Proposed Site Plan: Drawing No. 899/101 Revision R03
- o Proposed Ground Floor Plans (Plots 1-6): Drawing No. 899/102 Revision R01
- o Proposed First Floor Plans (Plots 1-6): Drawing No. 899/103 Revision R01
- o Proposed Second Floor Plans (Plots 1-6): Drawing No. 899/104 Revision R01

- o Proposed Roof Plans (Plots 1-6): Drawing No. 899/105 Revision R01
- o Proposed Front Elevations (Plots 1-6): Drawing No. 899/105 Revision R01
- o Proposed Rear Elevations (Plots 1-6): Drawing No. 899/107 Revision R01
- o Proposed Side Elevations (Plots 1-6): Drawing No. 899/108 Revision R01
- o Proposed Ground Floor Plans (Plots 7-10): Drawing No. 899/109 Rev R02
- o Proposed First & Second Floor Plans (Plots 7-10): Drawing No. 899/110 Rev R03
- o Proposed Roof Plan (Plots 7-10): Drawing No. 899/111 Rev R02
- o Proposed Front & Side Elevations (Plots 7-10): Drawing No. 899/112 Rev R03
- o Proposed Rear & Side Elevations (Plots 7-10): Drawing No. 899/113 Rev R03
- o Proposed Street View from Bristol Road: Drawing No. 899/114/ Rev R03

### **Condition Categories**

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

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

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

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

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

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

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

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

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](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	05	
<b>Application No:</b>	17/01581/FUL	
<b>Site Location:</b>	22 Uplands Road, Saltford, Bristol, Bath And North East Somerset	
<b>Ward:</b> Saltford	<b>Parish:</b> Saltford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a single storey dwelling & garage	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr David Lamb	
<b>Expiry Date:</b>	30th June 2017	
<b>Case Officer:</b>	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 Tree Protection Plan (Pre-commencement)**

No development shall commence until an annotated Tree Protection Plan following the recommendations contained within BS 5837:2012 identifying measures (fencing and/or ground protection measures) to protect the trees and other vegetation to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the design of proposed fencing and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery. 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.

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

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

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

#### **PLANS LIST:**

This decision is based on the following drawings and information: 1:2500 Site Location Plan, 01 Proposed Plan and Elevations, 01 Existing and Proposed Block Plans and Design and Access Statement received 3/4/2017.

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](http://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.

<b>Item No:</b>	06		
<b>Application No:</b>	17/01411/FUL		
<b>Site Location:</b>	10 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset		
<b>Ward:</b>	Combe Down	<b>Parish:</b>	N/A
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Three storey side extension and garage to include demolition of existing single story side extension, partial demolition of existing garage, minor changes to rear ground floor fenestration of existing main house and front landscaping.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Mr & Mrs Cunningham		
<b>Expiry Date:</b>	24th May 2017		
<b>Case Officer:</b>	Rae Mephram		

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

<b>Item No:</b>	07	
<b>Application No:</b>	17/01316/FUL	
<b>Site Location:</b>	Willow Glade , 17 Scobell Rise, High Littleton, Bristol	
<b>Ward:</b> High Littleton	<b>Parish:</b> High Littleton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of detached bungalow on land at 17 Scobell Rise and erection of detached garage for existing dwelling. (Revised Scheme)	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr & Mrs D Hamblin	
<b>Expiry Date:</b>	13th May 2017	
<b>Case Officer:</b>	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 Hard and Soft Landscaping (Pre-occupation)**

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

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

### **3 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 the side elevations 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.

### **4 Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

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

Reason: Any further extensions require detailed consideration by the Local Planning Authority because the site has a reduced plot size when compared to the other dwellings within the street and any further extension would reduce the amenity space for the dwelling further which would need considering in terms of residential amenity.

#### **5 Removal of Permitted Development Rights - No roof extensions/enlargements (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 any part of any roof 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: 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 - Garages (Compliance)**

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with no.17 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.

#### **7 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

This decision relates to;

Location Plan and Block Plan (01), Proposed Site Plan (02), Proposed Plans (03), Proposed Sections (04), Proposed Elevations (05), Garage Plans (06) and Streetscene Elevations (07) received 18th 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 Policy Framework. For the reasons given, and expanded upon in the delegated report, a positive view of the submitted proposals was taken and planning 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto:planning_registration@bathnes.gov.uk). Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

<b>Item No:</b>	08
<b>Application No:</b>	17/00163/FUL
<b>Site Location:</b>	Stonedge Cottage, Stoneage Lane, Tunley, Bath
<b>Ward:</b> Bathavon West	<b>Parish:</b> Dunkerton & Tunley Parish Council
<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Alterations to raise the wall to the same level as the neighbour's wall, including the existing panel fence (Resubmission)
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Flood Zone 2, Forest of Avon, Greenbelt, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Christopher Bramwell-Pearson
<b>Expiry Date:</b>	2nd June 2017
<b>Case Officer:</b>	Chloe Buckingham

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



<b>Item No:</b>	09		
<b>Application No:</b>	17/01436/FUL		
<b>Site Location:</b>	Manor House, Battle Lane, Chew Magna, Bristol		
<b>Ward:</b> Chew Valley North	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> II	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of new security fence on western boundary		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Dr & Mrs M Watts		
<b>Expiry Date:</b>	29th June 2017		
<b>Case Officer:</b>	Chloe Buckingham		

**DECISION** Permit with conditions.

<b>Item No:</b>	10		
<b>Application No:</b>	17/01965/FUL		
<b>Site Location:</b>	1 Wellow Lane, Peasedown St. John, Bath, Bath And North East Somerset		
<b>Ward:</b>	Peasedown St John	<b>Parish:</b>	Peasedown St John
<b>Grade:</b>	N/A	<b>LB</b>	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single storey side extension with replacement garage and widened driveway access following demolition of existing garage.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr P Keating		
<b>Expiry Date:</b>	20th June 2017		
<b>Case Officer:</b>	Samantha Mason		

**DECISION** REFUSE

1 The proposed development of a single storey side extension following demolition of the existing garage is considered to have a detrimental impact on the character and appearance of the host dwelling and locality due to its location, size, and design contrary to Saved Policy D.4 of the Bath and North East Somerset Local Plan including minerals and waste policies adopted 2007, D.2 of the draft Placemaking Plan and section 7 of the National Planning Policy Framework.

**PLANS LIST:**

This decision relates to the following plans:

25 Apr 2017 2016-Keating-07 Location and Block Plan  
25 Apr 2017 2017-Keating-03 Proposed Plans  
25 Apr 2017 2017-Keating-04 Sections and Notes  
25 Apr 2017 2017-Keating-05 Roof Plans  
25 Apr 2017 2017-Keating-06 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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.